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THE REPRESENTATION OF THE PEOPLE ACT, 1918.

WITH

EXPLANATORY NOTES.

BY

SIR HUGH FRASER, LL.D.,

A BENCHER OF THE INNER TEMPLE;

AUTHOR OF "THE LAW OF PARLIAMENTARY ELECTIONS AND ELECTION PETITIONS."

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PREFACE.

In this book the whole of the Representation of the People Act, 1918, is set out verbatim. The provisions of the sections are fully dealt with in the explanatory Notes which follow them. The various parts of the sections commented on and explained in the Notes are printed in prominent type so that the reader may have no difficulty in finding in the Note to a particular section that part of the section in regard to which he wishes for guidance.

In some of the more important sections, particularly in Part I., which deals with "Franchises," it has been thought more convenient and helpful to the reader to deal with the subject in the form of propositions which state shortly the requirements of the section dealt with. Questions of difficulty will undoubtedly arise as to the interpretation of the language of some of the sections, and it has been thought advisable and indeed necessary to refer to the decisions of the Courts as to the meaning of

similar language in former statutes relating to the franchise, although such statutes are now repealed.

It has been thought useful to deal in some detail with the method and costs of elections and with corrupt and illegal practices, all of which subjects are to a greater or less extent affected by the present Act.

Appended to the Registration Rules will be found footnotes where it was thought that such footnotes would be useful, and in writing the Notes to the sections of the Act the Author has endeavoured to keep in view the duties and difficulties of the registration officer.

In the Introduction will be found a short survey of the progressive reforms in Parliamentary representation introduced by and since the Reform Act, 1832, together with a summary of the far-reaching changes introduced by the present Act.

The Appendices contain, in addition to the County Court Rules, Supreme Court Rules, and Statutes bearing on the subject, the Orders in Council made under the Act, and Directions of the Local Government Board to registration officers, so far as such Orders and Directions were available up to the time of going to press, and it has been thought desirable, as a matter

of historical interest, to include the Report of the Speaker's Conference.

I wish to acknowledge my indebtedness to my learned friend, Mr. ALEXANDER P. FACHIRI, Barrister-at-Law, for most valuable assistance in the preparation of the work and for many useful suggestions. I have also to thank Mr. H. F. OLDMAN for his kindness in reading through the proofs as they were passing through the press, and for giving me the benefit of his wide practical experience of the subjects dealt with in this book, and particularly of registration.

H. F.

1, BRICK COURT, TEMPLE, E.C.
4th July, 1918.

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LIST OF ABBREVIATIONS.

A. & E.	Adolphus and Ellis.
A. C.	Law Reports, Appeal Cases.
B. & Ad.	Barnewall & Adolphus.
B. & Ald.	Barnewall and Alderson's Reports (King's Bench).
B. & Arn.	Barron and Arnold.
B. & Aust.	Barron and Austen.
B. & B.	Broderip and Bingham.
B. & C.	Barnewall & Cresswell.
B. & P.	Bosanquet and Puller.
B. & S.	Best and Smith.
Beav.	Beavan.
Bing.	Bingham.
Bing. N. C.	Bingham (New Cases).
C. & I. P.	Corrupt and Illegal Practices.
C. A.	Court of Appeal.
C. C.	County Court.
C. J.	Chief Justice.
C. B.	Common Bench Reports.
C. B. (N. S.)	Common Bench Reports, New Series.
C. & D.	Corbett and Daniell.
C. M. & R.	Crompton, Meeson, and Roscoe.
C. & P.	Carrington & Payne.
C. & R.	Cockburn and Rowe's Election Cases, 1833.
C. P. D.	The Law Reports, Common Pleas Division.
Clerk, El.	Clerk on Elections and Election Committees.
Ct. of Sess.	Court of Session Cases.
Dalton	Dalton's Office of Sheriff (2nd ed.), 1700.
Day's E. C.	Day's Election Cases.
Dougl.	Douglas.
E. & B.	Ellis and Blackburn.
Ex. D.	The Law Reports, Exchequer Division.
Falc. & F.	Falconer and Fitzherbert.
Fras.	Fraser.
Glanv.	Glanville.

Hans.	Hansard's Parliamentary Debates.
Hop. & C.	Hopwood and Coltman's Registration Cases.
H. L.	House of Lords.
H. L. C.	Clarke's House of Lords Cases.
Heyw. Bo.	Heywood on Borough Elections, 1797.
Heyw. Co.	Heywood on County Elections (2nd ed.), 1812.
Hob.	Hobart's Reports, *temp.* Elizabeth and James I.
Hawk. P. C.	Hawkins' Pleas of the Crown.
Ir. C. L. R.	Irish Common Law Reports.
Ir. L. R. (N. S.)	Irish Law Reports, New Series.
J.	Justice.
J. P.	Justice of the Peace.
Journ.	Journals of the House of Commons.
Judg.	Judgments of the Election Judges, reported and printed by order of House of Commons. See Parliamentary Elections Act, 1868, s. 24.
Jur.	Jurist Reports, 1837—54.
K. B.	King's Bench.
K. B. D.	The Law Reports, King's Bench Division.
K. & G.	Keane and Grant.
K. & O.	Knapp and Ombler's Election Cases, 1834—5.
L. & S.	Lacey & Smith.
L.JJ.	Lords Justices.
L. J., Ch.	Law Journal Reports, Chancery.
L. J., C. P.	Law Journal Reports, Common Pleas.
L. J., M. C.	Law Journal Reports, Magistrates' Cases.
L. J., K. B.	Law Journal Reports, King's Bench.
L. J., Q. B.	Law Journal Reports, Queen's Bench.
L. R., C. P.	The Law Reports, Common Pleas.
L. R., Ex.	The Law Reports, Exchequer.
L. R., H. L.	The Law Reports, House of Lords.
L. R., Q. B.	The Law Reports, Queen's Bench.
L. R., K. B.	The Law Reports, King's Bench.
L. T.	Law Times.
L. T. Jo.	Law Times Journal.
Lev.	Levinz.
Lud.	Luder's Election Cases, 1784—7.
M. & S.	Maule & Selwyn.
M. & W.	Meeson and Welsby.
Male	Male on Elections.
May's Parl. Pract.	May's Parliamentary Practice.
M. C. A.	The Municipal Corporations Act, 1882.
Min.	Minutes of Evidence taken by shorthand writers before Election Committees, but not printed.
Mod.	Modern (King's Bench) Reports, 1669—1732.

O. & H.	O'Malley and Hardcastle's Reports of Election Petitions.
Orme	Orme on Elections.
P. P.	Parliamentary Papers.
P. & K.	Perry and Knapp's Election Cases.
P., R., & D.	Power, Rodwell, and Dew's Election Cases.
Peck.	Peckwell's Election Cases.
Phill.	Phillips' Election Cases.
Plowd.	Plowden.
Print. Min.	Minutes of Evidence taken by shorthand writers before Election Committees, and printed by order of the House of Commons.
Q. B.	Queen's Bench Reports.
Q. B. D.	The Law Reports, Queen Bench Division.
R.	Rettie's Court of Session Cases.
R. S. C.	Rules of the Supreme Court.
Roe	Roe on Elections.
S. C.	Same Case.
Sch.	Schedule.
Sim.	Simeon on Elections, 1789.
Steph. Law of El.	Stephens' Law of Elections, 1840.
Str.	Strange.
T. R.	Term Reports.
T. L. R.	Times Law Reports.
Ves.	Vesey.
Ves., jun.	Vesey junior.
W. N.	Law Reports, Weekly Notes.
W. R.	Weekly Reporter.
W. & Br.	Wolferstan and Bristowe's Election Cases.
W. & D.	Wolferstan and Dew's Election Cases.
Whitelocke	Whitelocke on the King's Writ for choosing members to serve in Parliament, sometimes called Whitelocke on Government, 1766.
Wight	Wight on Scotch Parliaments and Elections.

INTRODUCTION.

This Act, which consists of forty-seven sections and nine Schedules, is the third Reform Act since the passing of the Reform Act, 1832, the other Acts being those of 1867 and 1884.

The present Act is much more comprehensive, and introduces greater changes than any of its predecessors. It deals with the Parliamentary and local government franchise, registration, method and costs of election, and redistribution.

In order to realise how large a measure of enfranchisement is given by the present Act as compared with former Acts, the following facts may be pointed out. Before 1832 there were less than 500,000 parliamentary electors, and the Reform Act of 1832 only added 500,000 more, so that the total number of electors in 1832 was less than 1,000,000 out of a population of about 24,000,000. The Reform Act of 1867 added about 1,500,000 electors, making a total of 2,500,000 electors out of a population as it then was of about 30,000,000. The Act of 1884 added some 3,000,000 electors, making a total of

5,500,000 on the register out of a population which was then 34,000,000. According to the Home Office Return for 1915, the electorate was 8,357,000 out of a population of 43,500,000. Under the present Act at least 3,000,000 men and 6,000,000 women will, it is estimated, be added to the register as parliamentary electors.

From a historical point of view the present Act owes its origin to the fact that it was universally recognised that the electors of members to serve in the future Parliament which would have to deal with questions of reconstruction after the War, must include those who had fought for their country in the War. An attempt was made to attain this object by a separate Bill, but it was found impracticable to introduce changes of this kind without dealing generally with the subject of the franchise. His Majesty's Government accordingly invited the Speaker of the House of Commons to select a number of members of the House of Commons, representative of all shades of opinion, to draft recommendations which might form the basis of a Bill dealing with the whole subject of the representation of the people. In pursuance of this request the Speaker held a Conference which issued a Report* containing various recommendations, the great majority of which were unanimous. Although,

* For this Report, see Appendix V., pp. 737—746, *infra*.

in consequence of the Amendments which were adopted in the course of its passage through Parliament, the present Act differs in several points from the recommendations contained in the Report of the Speaker's Conference, it is in substance based upon it.

The most sweeping change which the Act introduces is the admission of women to the Parliamentary franchise, whilst the difficult question of the enfranchisement of soldiers, sailors, and others serving in connection with the War, is solved by giving them the franchise for the constituency in which but for their service in connection with the War they would have been entitled to vote, or, as an alternative, for the constituency (if any) in which they happen to have an actual qualification.

The present Act sweeps away all the qualifications for the franchise which previously existed; it repeals no less than fifty statutes and modifies fifty-seven others.

Under the previously existing law there were seven alternative qualifications for the Parliamentary franchise:—

(1) The household qualification, by far the most important, which dated, as regards boroughs, from 1867, and as regards counties from 1884;

(2) the qualification in respect of occupation of land or tenements of the value of 10*l.*;

(3) the 50*l.* rental qualification as modified by the Act of 1884; this qualification was rapidly dying out;

(4) the lodgers' qualification;

(5) the service qualification;

(6) the ownership voters' qualification. It is worth noting, as a matter of historical interest, that amongst these voters was the 40*s.* freeholder, who survived three Reform Acts and who dated back to the reign of Henry VI.;

(7) the university qualification.

In place of these seven franchises, the present Act substitutes, as regards men, three alternative qualifications only:—

(1) the residence qualification; which includes the householders, the lodgers, and the service voters, and also many residents who were not in any existing class of voters. There is no requirement for the qualifying premises under this head to be of any minimum yearly value, nor for rating or payment of rates;

(2) the business premises qualification, which

involves the occupation for the purposes of business, trade, or profession, of land or premises of the annual value of not less than 10*l.*;

(3) the university qualification, which is enlarged by the inclusion of all those who have taken degrees (other than honorary degrees) at a university.

Not only are the franchises different to those previously in existence, but the period of qualification has been shortened from one year to six months; there being two qualifying periods during the year—one ending on 15th January, the other on 15th July.

During these six months, electors must have been resident, or occupying land or premises, either in the constituency or in any constituency in the same Parliamentary borough or county or in a contiguous borough or county, so that it will be seen that successive occupation in a largely extended form will be permitted.

As regards the Parliamentary franchise for women, the Act confers this only on women who have attained the age of 30. In constituencies other than university constituencies there are two alternative qualifications which are as follows:—

(1) the woman must be entitled to be registered as a local government elector in respect of the occupation of a dwelling-house

(irrespective of value) or of land or premises (other than a dwelling-house) of a yearly value of not less than 5*l.*; or

(2) she must be the wife of a man who is entitled to be so registered.

The university franchise is conferred on all women of the requisite age who have obtained a degree, or, at Oxford or Cambridge, have passed the final examination and kept the necessary residence.

As was pointed out above, it is estimated that the women's franchise will add to the register of parliamentary electors at least 6,000,000 voters, of whom about 5,000,000 will come on the register by virtue of their husbands' qualification.

As regards the local government franchise, under the previously existing law the qualification to vote for county and borough councils outside London was substantially a pure occupation franchise, and differed from the qualification for London county and borough councils and for district and parish councils, where there was not only the occupation qualification but also the qualification of owners and lodgers. Under the present Act there is a uniform occupation franchise for all local government electors, including in the term "occupation" lodgers in a room or rooms let to them in an unfurnished state. The local government franchise is conferred on women

at the same age (21) and on equal terms with men, with the addition that a woman may be registered and vote by virtue of her husband's qualification in respect of premises in which they both reside if she has attained the age of thirty years.

It is estimated that the present Act will add about 5,000,000 women to the register of local government electors.

Turning to the subject of registration, the Act adopts a course which has often been recommended, viz., a system of official registration, and throws upon the appointed officers the obligation of making up the registers (of which there are two in every year) and keeping them complete. The office of revising barrister is abolished, and the consideration of claims and objections is entrusted to the registration officer himself with the right of an appeal from his decision to the County Court, and from the County Court, on questions of law alone, to the Court of Appeal.

With regard to methods of election, the much discussed principle of Proportional Representation together with that of the alternative vote, both of which the Speaker's Conference recommended, did not find much favour with the House of Commons. The alternative vote has been entirely rejected and Proportional Representation has been retained only as regards university constituencies.

An important innovation is made by the pro-

visions allowing, in certain cases, votes to be given by post by absent voters, and also voting by proxy.

At a General Election polls are all to be taken on one day, and plural voting has been further greatly curtailed since no elector may under any circumstances give more than two votes at such an election.

The returning officers' expenses are to be paid by the State. A candidate is to make a deposit which shall be returned to him if he has polled not less than one-eighth of the votes.

The scale of election expenses is reduced, and certain expenditure by unauthorised persons is prohibited.

The present Act carries out a great scheme of Redistribution. Following the recommendation of the Speaker's Conference it has been sought to make each vote command as far as possible an equal share of representation in the House of Commons. The standard unit of population represented by one member of the House of Commons has been taken at 70,000, although boroughs with not less than 50,000 inhabitants keep their separate representation.

Forty-four boroughs have lost their separate representation, including ancient boroughs such as Canterbury, Windsor, Chester, Durham, Winchester, Shrewsbury and Lichfield, but the

representation of the boroughs as a whole is increased by thirty-six members. On the other hand the counties lose five members whilst the universities gain six. Ireland is not included in the Redistribution Scheme under the present Act, but Redistribution there is dealt with by the Redistribution of Seats (Ireland) Act, 1918. The effect of the two Acts is to increase the membership of the House of Commons by thirty-seven members; thirty-one of these representing English, two Scottish, two Welsh, and two Irish constituencies. The total number of members of the House of Commons will in future Parliaments be 707.

N.B.—*In the Notes to the Sections, when the actual words of the sections commented on are quoted for the first time, they are printed in heavy type.*

ADDENDUM.

REGISTRATION DATES.

SINCE going to press the following Order dated 10th July, 1918 (R. P. 39), altering certain registration dates (see pp. 128—129, 748, 749, 750, 752) in connection with the first register under the Act has been made by the Local Government Board:—

"Whereas by sub-section (3) of Section 46 of the Representation of the People Act, 1918 (herein-after referred to as 'the Act'), it is provided that if any difficulty arises as to the preparation of the First Register to be prepared under the Act (herein-after referred to as 'the First Register'), We, the Local Government Board, may by Order do any matter or thing which appears to Us necessary for the proper preparation of the First Register;

And whereas by virtue of an Order in Council dated the 4th day of June, 1918 (*a*), and made under the powers conferred by the Act the documents mentioned in Schedule A to this Order are, as respects the First Register, to be kept published in England and Wales until the dates specified in the second column of that Schedule and in connection with the First Register the registration dates referred to in Schedule B to this Order are the dates specified in the second column of that Schedule;

And whereas difficulties have arisen in connection with the preparation of the First Register, and it appears to Us necessary for the proper preparation of the First Register that the above-mentioned dates should be altered:

Now therefore, in pursuance of Our powers in that behalf, We, by this Our Order, Direct as follows:—

ARTICLE I.—The dates specified in the third column of Schedules A and B to this Order shall be respectively substituted for the dates specified in the second column of those schedules, and the above cited Order in Council shall be read and have effect accordingly.

ARTICLE II.—This Order may be cited as the First Register (Alteration of Dates) Order, 1918."

(*a*) See Order in Council dated June 4th, 1918, rule 1, p. 748, First Schedule, p. 750, also rule 6 and Fifth Schedule, set out on pp. 128—129, and on pp. 749, 752.

[P.T.O.

ADDENDUM.

SCHEDULE A.

PUBLICATION OF DOCUMENTS.

Nature of Document.	Date specified in Order in Council.	Substituted Date.
Electors Lists (First Schedule, Rule 6) .. .	18th July.	26th July.
Notice as to mode of making claims and objections (First Schedule, Rule 6).	1st August.	9th August.
Corrupt and Illegal Practices Lists (First Schedule, Rule 8).	18th July.	26th July.
List of Claimants (First Schedule, Rule 11).	1st August.	9th August.
List of persons to whose registration notice of objection has been given (First Schedule, Rule 14).	1st August	9th August.

SCHEDULE B.

REGISTRATION DATES.

Subject-matter.	Date specified in Order in Council.	Substituted Date.
Last day for objections to electors lists	10th July.	18th July.
Last day for claims	17th July.	25th July.
Last day for claims as absent voters	31st July.	8th August.
Publication of list of objections to electors lists.	19th July.	27th July.
Publication of list of claimants	25th July.	2nd August.
Last day for objections to claimants	31st July.	8th August.
Publication of list of objections to claimants (as soon as practicable after).	31st July.	8th August.

In consequence of the alteration of some of the dates referred to in Schedule B above, the following County Court Rule, amending paragraph 3 of Rule 9 of the County Court (Registration Appeals) Rules, 1918 (set out on p. 640), has been made:—

"The words 'the ninth and the twenty-eighth days of September' shall be substituted for the words 'the second and the twenty-first days of September' in paragraph 3 of Rule 9 of the County Court (Registration Appeals) Rules, 1918."

REPRESENTATION OF THE PEOPLE ACT, 1918.

(8 Geo. V. c. 64.)

An Act to amend the Law with respect to Parliamentary and Local Government Franchises, and the Registration of Parliamentary and Local Government Electors, and the conduct of elections, and to provide for the Redistribution of Seats at Parliamentary Elections, and for other purposes connected therewith.

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Part I.

[Sections 1—10.]

Franchises.

Sect. 1.

Parliamentary franchises (men).

1.—(1) A man shall be entitled to be registered as a parliamentary elector for a constituency (other than a university constituency)[1] if he is of full age[2] and not subject to any legal incapacity[3] and—

(a) has the requisite residence qualification[4]; or

[1] See p. 3, footnote (*a*), *infra*.
[2] See p. 4, *infra*.
[3] See pp. 4—8, *infra*.
[4] See pp. 9—24, *infra*.

Sect. 1.

(b) has the requisite business premises qualification.[5]

(2) A man, in order to have the requisite residence qualification or business premises qualification for a constituency—

(a) must on the last day of the qualifying period be residing in premises in the constituency,[6] or occupying business premises in the constituency,[7] as the case may be; and

(b) must during the whole of the qualifying period have resided in premises,[8] or occupied business premises,[9] as the case may be, in the constituency, or in another constituency within the same parliamentary borough[10] or parliamentary county,[11] or within a parliamentary borough or parliamentary county contiguous to that borough or county, or separated from that borough or county by water, not exceeding at the nearest point six miles in breadth, measured in the case of tidal water from low-water mark.

[5] See pp. 24—37, *infra*.
[6] See pp. 9—16, *infra*.
[7] See pp. 24—37, *infra*.
[8] See pp. 9—24, *infra*.
[9] See pp. 24—37, *infra*.
[10] See sect. 37 (1), p. 282, *infra*, and Ninth Sched., pp. 404—481, *infra*.
[11] See sect. 37 (2), p. 282, *infra*, and Ninth Sched., pp. 482—554, *infra*.

For the purposes of this subsection the administrative county of London shall be treated as a parliamentary borough.

(3) The expression "business premises" in this section means land or other premises of the yearly value of not less than ten pounds occupied for the purpose of the business, profession, or trade of the person to be registered.[12]

NOTE.—Sect. 1 set out above states the conditions which must be fulfilled in order to entitle a male person **to be registered as a parliamentary elector for a constituency (other than a university constituency)** (*a*).

These conditions are:—

(1) *He must be of full age;*

(2) *He must not be subject to any legal incapacity;*

(3) *He must have* (a) *the requisite residence qualification* or (b) *the requisite business premises qualification.*

[12] See pp. 28—37, *infra*.

(*a*) As to registration for parliamentary purposes, see Part II. Registration, sects. 11—19 of the Act, pp. 125—155, *infra*. The words **parliamentary elector for a constituency (other than a university constituency)** in sect. 1 (1) mean a person who is entitled to vote at an election of a member of the House of Commons for any constituency other than a university constituency, *i.e.*, for any county, borough, or combination of places returning a member to serve in Parliament, and, where a county or borough is divided for the purpose of parliamentary elections, a division of the county or borough so divided. See sect. 41 (1), p. 305, *infra*.

Sect. 1.

(1) *He must be of* **full age.**—Full age is by the Common Law the age of 21 years, and such age is attained on the day preceding the 21st anniversary of a person's birth (*b*). By sect. 41 (7) of the Act (*c*) "for the purposes of registration a person's age shall be taken to be that person's age on the last day of the qualifying period" (*d*), *i.e.* on January 15th or on July 15th according to which of the two registers he is placed upon (*e*). If the 21st anniversary of the birth of the person to be registered is January 16th or July 16th he will have attained full age for the purpose of being registered on the Spring or Autumn register (*f*), irrespective of the hour of his birth (*g*).

(2) *He must* **not** *be* **subject to any legal incapacity.**—It should be noted that a legal incapacity is quite distinct from an absence of the qualifications required by this Act to enable a person to be registered or to vote at an election. Legal incapacity in the above sense is some quality inherent in a person or for the time being irremovable in such person, which, either at Common Law or by Statute, deprives him of the status of a parliamentary elector (*h*).

(*b*) 1 Co. Lit. 78; Bro. Abr. "Age."

(*c*) Set out at p. 307, *infra*.

(*d*) As to the qualifying period, see sect. 6, p. 94, *infra*.

(*e*) See sect. 11, p. 125, *infra*. As to the dates applicable to the first register, see pp. 128, 129, *infra*.

(*f*) See p. 126, *infra*. As to the dates applicable to the first register, see pp. 128, 129, *infra*.

(*g*) 1 Bl. Com. 463; Anon. (1700), Ld. Raym. 480, 1096.

(*h*) See the observations of Lord Coleridge, C.J., in *Stowe* v. *Jolliffe* (1874), L. R. 9 C. P. at p. 750; see also *Hayward* v. *Scott* (1879), 5 C. P. D. 231; and the observations of O'Brien, J., in *Londonderry* (1886), 4 O. & H. at pp. 100, 101.

Sect. 1.

The following are legally incapacitated from being registered under this section:—(1) A peer of the United Kingdom (*i*), or of Scotland, or of Ireland not actually elected and serving for a constituency in Great Britain (*k*); (2) a person holding any one of certain offices (*l*); (3) an infant (*m*); (4) an alien (*n*); (5) an idiot (*o*); (6) a lunatic who is not in a lucid interval (*p*); (7) an imbecile who is not *compos mentis* (*q*); (8) a person convicted of treason or felony and sentenced to death or penal servitude or imprisonment, either with hard labour or exceeding twelve months, unless he has suffered such other punishment as by compe-

(*i*) Com. Dig. tit. Parl. D. 10; *Beauchamp* (*Earl*) v. *Madresfield* (1872), L. R. 8 C. P. 245; *Bristol* (*Marquis*) v. *Beek* (1907), 96 L. T. 55; 71 J. P. 99; 23 T. L. R. 224.

(*k*) 39 & 40 Geo. 3, c. 67, art. 4; *Banbury* (1797), Heywood, 318; *Droitwich* (1834), K. & O. 65; *Lord Rendlesham* v. *Haward* (1873), L. R. 9 C. P. 252.

(*l*) Under this head come:—(1) A Scots sheriff, a sheriff substitute, a sheriff clerk, a deputy sheriff clerk for the shire within which the election is being held (2 & 3 Will. 4, c. 65, s. 36; see also sect. 43 (6) of the present Act, p. 317, *infra*); (2) various officers connected with the constabulary and police in Ireland (6 & 7 Will. 4, c. 13, s. 18 (Irish Constabulary); 6 & 7 Will. 4, c. 29, s. 19 (Dublin Metropolitan Magistrates and Police). The disqualifications formerly attaching to the police in Great Britain were abolished by the Police Disabilities Removal Act, 1887.

(*m*) 7 & 8 Will. 3, c. 25, s. 7; *Stowe* v. *Jolliffe* (1874), L. R. 9 C. P. 743, 758. A naval or military voter within sect. 5 (4) of the present Act is qualified at nineteen. See pp. 80—82, *infra*.

(*n*) *Middlesex* (1804), 2 Peck, 118; *Bedford* (1832), C. & R. 98; *Isaacson* v. *Durant* (1886), 17 Q. B. D. 54; 33 & 34 Vict. c. 14, s. 2. As to naturalisation, see the British Nationality and Status of Aliens Act, 1914 (4 & 5 Geo. 5, c. 17).

(*o*) *Bedfordshire* (1785), 2 Lud. 567.

(*p*) Heywood, 260.

(*q*) *Bridgewater* (1803), 1 Peck, 108; *Oakhampton* (1791), 1 Fraser, 162.

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tent authority may be substituted for the same or received a free pardon, or in the case of penal servitude or imprisonment has suffered the punishment to which he has been sentenced (*r*); (9) a person convicted on indictment within the preceding seven years of a corrupt practice at a parliamentary election (*s*) or convicted within the preceding seven years of a corrupt practice at a municipal election (*t*); (10) a person found guilty on summary conviction within the preceding five years of an illegal practice at a parliamentary election within the county or borough in which he is seeking to be registered (*u*); (11) a person who, as a candidate, election agent or sub-agent, has within the preceding five years been convicted of an illegal employment, payment, or hiring, at a parliamentary election within the county or borough in which he is seeking to be registered (*x*); (12) a person convicted within the preceding five years of an illegal practice at a municipal election within the borough in which he is seeking to be registered (*y*) or convicted within the preceding five years of an illegal employment, payment, or hiring as candidate at the said municipal election (*z*); (13) a person who has within the preceding seven years been convicted of a corrupt

(*r*) Forfeiture Act, 1870, s. 2. This has no application to Scotland, *ib.* s. 33.

(*s*) Corrupt Practices Act, 1883, s. 6 (3). See p. 275, *infra*.

(*t*) Municipal Elections (Corrupt Practices) Act, 1884, s. 2 (2); Corrupt Practices Act, 1883, s. 6 (3).

(*u*) *Ibid.* s. 10. See p. 299, *infra*.

(*x*) *Ibid.* s. 21 (2); s. 25 (2); s. 10. See p. 302, *infra*.

(*y*) Municipal Elections (Corrupt Practices) Act, 1884, s. 7.

(*z*) *Ibid.* ss. 7, 17 (2).

practice, or within the preceding five years of an illegal practice, at the election of a member of a local board, of a member of Improvement Commissioners, or of a poor law guardian (*a*); (14) a person who has been convicted, within the preceding six years, of a corrupt offence at the election of a member of a school board which has been held within the preceding six years (*b*); (15) a person who has been twice convicted under the Public Bodies Corrupt Practices Act, 1889, s. 2; (16) a person who is reported by an election court or Election Commissioners to have been guilty of any corrupt or illegal practice at an election, whether he obtains a certificate of indemnity or not, in like manner and for the same period (*c*) as if he had at the date of such election been convicted of the offence of which he is reported to have been guilty (*d*); (17) a conscientious objector who is incapacitated during the war and for five years thereafter by sect. 9 (2) of the present Act (*e*).

It should be noticed that persons subject to the above-mentioned incapacities are prohibited both from being registered and from voting (*f*).

(*a*) Municipal Elections (Corrupt Practices) Act, 1884, ss. 2, 36, Sched. 1.

(*b*) 33 & 34 Vict. c. 75, s. 91.

(*c*) As to the period during which this incapacity applies, see, with regard to corrupt practice, heading (9), and with regard to illegal practice, heading (10), on p. 6, *supra*.

(*d*) Corrupt Practices Act, 1883, s. 38 (5).

(*e*) See sect. 9 (2), pp. 112—114, and pp. 117—121, *infra*.

(*f*) See the observations of Lush, J., in *Worcester* (1880), 3 O. & H. at p. 186; and also the Ballot Act, 1872, s. 7, set out at p. 667, 668, *infra*, and sect. 9 (3) of the present Act, pp. 114, 115, *infra*.

Sect. 1.

By sect. 13 (1) of the present Act "it shall be the duty of the registration officer (*f*) . . . to place or cause to be placed on the register . . . the names of those entitled to vote as parliamentary electors . . . in his registration area." The registration officer should therefore not place on the register the name of any person who is subject to any of the above incapacities. But if he should do so, the register is conclusive of such person's right to give his vote at the poll, and the returning officer cannot refuse to allow him to vote. Such a vote would, however, be struck off on a scrutiny (*g*). In the words of Lush, J., in *Worcester* (*h*), "the battle of qualification shall be fought either beforehand in the registration court (*i*), or after the election upon a scrutiny (*g*), but nothing shall take place at the polling-booth but a reference to the register to ascertain whether the person who presents himself is the person upon that register or not."

(3) *He must have* (a) **the requisite residence qualification** or (b) **the requisite business premises qualification.**

(a) **The requisite residence qualification.**—In order to have this qualification **a man (i) must on the last day of the qualifying period** (*k*) **be residing in premises in the constituency** (*l*),

(*f*) As to the registration officer, see pp. 130—132, *infra*.

(*g*) As to a scrutiny, see the Author's "Law of Parliamentary Elections and Election Petitions," 2nd ed., pp. 210B—215.

(*h*) (1880), 3 O. & H. at p. 11.

(*i*) The office of revising barrister is abolished by the present Act, but his duties are now undertaken by the registration officer.

(*k*) See pp. 9, 10, *infra*.

(*l*) See pp. 11—16, *infra*.

and (ii) must during the whole of the qualifying period have resided in premises in the constituency, or in another constituency within the same parliamentary borough (*m*) **or parliamentary county, or within a parliamentary borough or parliamentary county** (*n*) **contiguous to that borough or county, or separated from that borough or county by water not exceeding at the nearest point six miles in breadth measured in the case of tidal water from low-water mark.** For this purpose **the administrative county of London is to be treated as a parliamentary borough** (*o*).

Under sect. 11 (*p*) of the present Act two registers of electors are to be prepared in every year, of which one, the Spring register, is to be made for the qualifying period ending on January 15th, and the other, the Autumn register, is to be made for the qualifying period ending on July 15th. The qualifying period is a period of six months ending either on January 15th or July 15th, including in each case the fifteenth day (*q*), so that the last day of the qualifying period is in the one case January 15th, and in the other July 15th (*r*).

When an elector moves into a constituency within thirty days of the last day of the quali-

(*m*) See pp. 11—24, *infra*.

(*n*) *Ibid.*

(*o*) See sect. 1 (2), (b), set out on p. 3, *supra*. See also pp. 23, 24, *infra*.

(*p*) See pp. 125, 126, *infra*.

(*q*) Sect. 6, p. 94, *infra*.

(*r*) As to the dates applicable to the first register, see pp. 128, 129, *infra*.

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The object of the sub-section just quoted is to provide against what are known as "swallow voters," by imposing a condition which is intended to ensure that the residence on the last day of the qualifying period shall be *bonâ fide*. In order to come within the sub-section, it is only necessary for the person to be registered to reside in a constituency for thirty consecutive days, one of which is the last day of the qualifying period; *e.g.*, such person may begin to reside on July 14th and cease to reside on August 13th, or he may begin to reside on June 16th and cease to reside on July 16th.

It would appear that the requisite residence during thirty consecutive days would not necessarily be broken by reason of the person to be registered moving from one set of premises to another in immediate succession during the thirty days.

The meaning of the words **residing in premises**

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in sect. 1 (2) (a) and **resided in premises** in sect. 1 (2) (b) raise questions of some difficulty.

It is abundantly clear from the language of sect. 7 (2) of the present Act that the expression "residence" and cognate expressions are to be interpreted according to general principles (*r*).

"The word 'residence' has a variety of meanings according to the Statute in which it is used" (*s*). It will therefore only be useful to consider here the interpretation which the word has received in previous Statutes dealing with the franchise.

The question of residence is a question of fact (*t*). There are two kinds of residence, actual residence and constructive residence.

As to actual residence. In *Barlow* v. *Smith* (*u*), Lord Coleridge, C.J., referred to "the old and universal definition of residence" as "the place where a man's home is and where he sleeps." In the same case (*v*) the learned Chief Justice cited *Whithorn* v. *Thomas* (*w*), and *Reg.* v. *Mayor of Exeter*, *Dipstall's Case* (*x*), and said: "We have therefore the authority of three judges that in this section (s. 27 of the Reform Act, 1832) 'residence' implies home, the place where a man lives. . . . For centuries past it has always been

(*r*) See sect. 7 (2), p. 99, *infra*.

(*s*) Per Erle, C.J., in *Nalf and another* v. *Mutter* (1862), 31 L. J. C. P. at p. 359.

(*t*) *Reg.* v. *Mayor of Exeter*, *Wescomb's Case* (1868), L. R. 4 Q. B. 110; *ibid.*, *Dipstale's Case*, 114.

(*u*) (1892), Fox & Smith's Registration Cases, at pp. 297, 298.

(*v*) *Ibid.* at p. 299.

(*w*) (1844), 7 M. & Gr. 1.

(*x*) (1868), L. R. 4 Q. B. 114.

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held that where a man sleeps and has his home is the place where he resides."

"There is no strict or definite rule for ascertaining what is inhabitance or residence. The words have nearly the same meaning. Sleeping once or twice in a place would not constitute inhabitance. There is no precise line to be drawn. It is always, if the inhabiting is *bonâ fide*, a question of more or less. The question is whether there has been such a degree of inhabitance as to be in substance and in common sense a residence. When a person has a country and a town house, it is a mere question of fact, whether he has two residences, or only one residence. When . . . a man leaves one residence to go elsewhere to transact real business, whether he has two residences depends on quantity and amount. It is a pure question of fact" (*y*).

"The fact that a person sleeps in a place is generally a very important ingredient in deciding whether he inhabits it, but it is not conclusive" (*z*).

It has been held that if a person actually resides in a constituency, such residence is sufficient, even if he be a trespasser (*a*).

As to constructive residence. "In order to constitute residence, a party must possess, at the least, a sleeping apartment, but an uninterrupted abiding at such dwelling is not requisite. Ab-

(*y*) Per Blackburn, J., in *Reg.* v. *Mayor of Exeter, Wescomb's Case* (1868), L. R. 2 Q. B. at p. 113.

(*z*) *Ibid.* in *Dipstale's Case*, at pp. 115, 116.

(*a*) *Beal* v. *Ford* (1877), 47 L. J. C. P. 56.

sence, no matter how long, if there be the liberty of returning at any time (*b*), and no abandonment of the intention to return whenever it may suit the party's pleasure or convenience so to do, will not prevent a constructive legal residence. But if he has debarred himself of the liberty of returning to such dwelling, by letting it (*c*) for a period however short, or has abandoned his intention of returning, he cannot any longer be said to have even a legal residence there" (*d*).

In *Whithorn* v. *Thomas* (*e*), where the question was whether the claimant had resided for six calendar months in a borough so as to qualify him as an elector for such borough under sect. 27 of the Reform Act, 1832, Tindal, C.J., in contrasting the two kinds of residence, said (*f*): "The mere payment of rent would not be equivalent to a residence. The residence required by the Statute (*g*) must mean an actual occupation (*h*), for some part of the time specified, by the party himself (actual residence), or an occupation (*h*) by his family or servants (constructive residence)."

(*b*) See as to this *Tanner* v. *Carter* (1885), 16 Q. B. D. 231 (university students).

(*c*) But see as to the exception expressly allowed in the present Act, pp. 16—23, *infra*.

(*d*) Elliott on Registration, 2nd ed. p. 204, quoted with approval by Erle, C.J., in *Powell* v. *Guest* (1864), 34 L. J. C. P. at p. 70.

(*e*) (1844), 7 M. & Gr. 1.

(*f*) *Ibid.* at p. 8.

(*g*) Reform Act, 1832.

(*h*) The word "occupation" is obviously used here in a colloquial sense, and not in the strict legal meaning discussed on pp. 25—27, *infra*.

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In the same case, Erle, J., said (*f*): "I think that in the Reform Act the intention of the legislature was, that a party who obtained a vote by residing in a borough should have some local interest there—referring to the ordinary meaning of the word residence, as conveying the idea of home. . . . The fact of sleeping at a place, indeed, by no means constitutes a residence—though, on the other hand, it may not be necessary for the purpose of constituting a residence in any place to sleep there at all. If a man's family are living in a borough, and he is absent for six months, but with the intention of returning, he will still be considered as residing there."

Where a person has a house or rooms to which he is entitled to go, even a considerable absence will not break the residence for the purpose of qualification (*g*). It is submitted, for example, that a munition worker who leaves a constituency in which he has his house for a part or even the whole of the qualifying period, in order to work elsewhere, will not lose the residence qualification in the constituency provided that he retains his place of abode in such constituency and his right and intention to return there.

"A legal inability to reside caused by the voter's own act and not by misfortune would

(*f*) Reform Act, 1832, at p. 10.

(*g*) *Falconer* v. *Dunlop* (1890), W. N. (1897) 124; see also *Taylor* v. *St. Mary Abbott Overseers* (1870), L. R. 0 C. P. 309; *Bond* v. *St. George, Hanover Square, Overseers, ibid.* 312.

break the residence" (*h*). Thus, imprisonment following upon a conviction of a criminal offence, for a substantial part of the qualifying period, was held to have prevented the voter from having obtained the residence qualification in his own home under sect. 27 of the Reform Act, 1832.

The same principle applies where the voter, being a civilian, has voluntarily incapacitated himself from residing in the constituency, *e.g.* where a clerk is bound under articles to a solicitor not to leave his place of employment outside the constituency without the solicitor's permission (*i*). As to the position of sailors and soldiers and other persons engaged in service of a naval or military character, see pp. 76—90, *infra*.

From what has been said above, it is clear that a person can obtain the residence qualification without having any estate in the premises in which he resides. Thus, a son living in his father's house may thereby obtain the residence qualification.

It should be noticed that by sect. 41 (5) of the present Act: "A person who is an inmate or patient in any prison, lunatic asylum, workhouse, poorhouse, or any other similar institution shall not by reason thereof be treated as resident therein for any purpose of this Act."

The fact that the object of the residence is to

(*h*) Per Byles, J., in *Powell* v. *Guest* (1864), 34 L. J. C. P. at p. 71. See also *Ford* v. *Pye* (1873), 9 C. P. 269; *Ford* v. *Hart*, *ibid.* 273; *Beal* v. *Town Clerk of Exeter* (1887), 20 Q. B. D. 300.

(*i*) *Ford* v. *Drew* (1879), 5 C. P. D. 59. It should be noticed that the present Act repeals the Electoral Disabilities Removal Act, 1891 (54 & 55 Vict. c. 11), which provided that non-residence caused by absence on duty, not exceeding four months at any one time, should not disqualify.

Sect. 1. obtain a vote is in itself no objection, but will be taken into account in determining whether there is a real *bonâ fide* residence (*k*).

By sect. 7 (2) of the present Act "residence in a house . . . shall not be deemed to be interrupted for the purposes of this Act by reason only of permission being given by letting or otherwise for the occupation of the house as a furnished house by some other person for a part of the qualifying period not exceeding four months in the whole, or by reason only of notice to quit being served and possession being demanded by the landlord of the house."

The meaning of the word "house" in this subsection is not free from doubt. It is submitted, however, that the word "house" here is used in the meaning in which it has been interpreted by the Courts in construing the word in sect. 27 of the Reform Act, 1832, which, like the present Act, contains no definition or reference to the meaning of the word. In that section the following words are used: "Every male person . . . who shall occupy . . . as owner or tenant any house . . . shall if duly registered . . . be entitled to vote . . ."

In *Cook* v. *Humber* (*l*), Erle, C.J., in delivering the considered judgment of the Court of Common Pleas (Erle, C.J., Williams, Keating and Byles, JJ.), said:—"Cases may be put where he (the claimant) would, as tenant or occupier, be qualified, although the key should be withheld; for if that which is one

(*k*) *Whithorn* v. *Thomas* (1844), 7 M. & Gr. 1.
(*l*) (1862), 31 L. J. C. P. at p. 76.

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house in one sense, being under one roof, be divided by the structure into several flats, constituting several houses in another sense, has one outer door to the street, of which a porter has the key and the sole control for the security of the tenants, each flat is a sufficient tenement, and the qualification is gained, though the tenant have no key to the outer door; and it is the same though the porter resides on one of the flats, and is owner of all the rooms under the roof. Again, if the occupier is tenant, it seems to us immaterial to inquire whether he has an uncontrolled access to the house. If, for instance, a house is let to A., without any access, except across the yard of B., and B. neither gives nor refuses leave to A. to pass over the yard, the mere liability to interruption of the access would not prevent his being qualified. And again, it seems immaterial to inquire whether the tenant of a house has exclusive possession, that is, possession free from servitudes or rights of entry reserved to the landlord: such servitudes and rights of entry affect the value of the tenement, but not the sufficiency in kind."

In *Henrette* v. *Booth* (*m*) the facts were as follows: The claimant was tenant of the whole of the upper floor of a building; his holding consisted of two rooms, opening on to the common staircase. The staircase was approached from the street by a passage at the end of which, next to the street, was a door, which could be closed,

(*m*) (1863), 33 L. J. C. P. at p. 61.

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but had no lock or fastening of any kind. The other floors were occupied by other tenants in a similar way. The claimant had exclusive control of the door leading to his own two rooms, which were completely severed from the rest of the building. In delivering judgment, Erle, C.J., said (*n*): "I am of opinion that . . . the voter is entitled to the franchise. I think he was the tenant of a house within the meaning of the 2 & 3 Will. 4, c. 45 (*nn*), s. 27 as explained in the case of *Cook* v. *Humber* (*o*). He occupied the whole of the upper floor, and the part of the building which was occupied by him communicated with the landing on the staircase by one outer door, over which he had exclusive control. It is also stated in the case that there are other floors occupied by other tenants, and that all the tenants have access to their respective holdings from the street through a doorway at the entrance of a passage which leads to the common staircase of the building. In this doorway there is a door which has no lock or fastening of any kind. That, I think, makes the voter the tenant of a house within the meaning of the statute. We have felt great difficulty in coming to a definite idea of what is a house within the meaning of the statute, when once it is assumed that there may be several houses under one roof; but we have felt bound to hold, notwithstanding, that there may be such houses, and we must, there-

(*n*) (1863), 33 L. J. C. P. at pp. 62, 63.
(*nn*) Reform Act, 1832.
(*o*) (1862), 31 L. J. C. P. 73.

fore, lay down rules for deciding what is a house and what is not, as clearly as we can. One matter that the Court has considered with reference to this subject is, that there would be great complication, if a building, which had been so constructed in other respects with reference to its internal arrangements, as that it should be considered as divided into several houses for the purpose of the franchise, should, merely because an outer door was added, be considered to be one house only. And in *Cook* v. *Humber* (*p*) we endeavoured to point out this, and also that the question, whether the subject of occupation was a separate house, did not depend solely on the presence or absence of the landlord, or on the circumstance whether the tenant had or had not a key of the outer door. . . . I think that the facts of the present case show as complete an analogy between this claim and that for chambers in the Inns of Courts, or any of the other recognized cases of separate holdings, which constitute several houses with a common staircase under one roof, as there possibly can be. . . ."

In the same case, Williams, J., said (*q*):— "I am of the same opinion. We are bound to abide by the opinion which we expressed in *Cook* v. *Humber* (*r*), that part of a building may confer the franchise if there be an entirely independent

(*p*) (1862), 31 L. J. C. P. 73.
(*q*) (1863), 33 L. J. C. P. at p. 63.
(*r*) (1862), 31 L. J. C. P. 73.

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occupation of it, and it be actually severed from the rest of the building, so as to form, in fact, a separate house. It is impossible to deny that there is difficulty in saying precisely in what a separate house consists. It is admitted, however, that if a building be divided into what are commonly called chambers, these are actually severed. Nor does it seem to me that it would necessarily be otherwise, if there was a door which separated all the chambers from the street, and which might be closed if the inmates were so minded. . . ."

Keating, J., said (*s*):—"The cases necessarily run very close to each other. But looking to the facts as found in this case, I come to the conclusion, without difficulty, that this voter was the tenant of a house within the meaning of the statute, as explained in *Cook* v. *Humber*. There was no other door between him and the street except that leading on to the staircase; for the mere flap without a fastening cannot be considered as a door for the purpose which we are now considering."

It appears from the above judgments that structural severance is necessary in order that premises should be a "house" within the meaning of sect. 27 of the Reform Act, 1832, and by analogy within the meaning of sect. 7 (2) of the present Act.

The applicability of this view of the meaning of the word "house" to the present Act is strengthened by the fact that elsewhere in sect. 1

(*s*) (1863), 33 L. J. C. P. at p. 63.

the word "premises" is used to describe the subject of residence and occupation, so that if the Legislature had intended that the provision now under discussion should apply to all kinds of premises in which a man resides, the word "premises" would have been used instead of the word "house."

It may be well to point out that the word "dwelling-house," which occurs in sect. 3 of the Representation of the People Act, 1867, was defined by sect. 61 of that Act, and that the word "house" was defined in sect. 5 (*t*) of the Parliamentary and Municipal Registration Act, 1878, and sect. 31 (a) of the Municipal Corporations Act, 1882.

The interpretation placed by the Courts on the words "dwelling-house" and "house" in the Acts just mentioned depended largely on the express words of the definitions in those Acts, and it is therefore submitted that the cases (*u*) in which the words in question in those Acts were interpreted throw no light upon the meaning of the word "house" in the present Act. These definitions expressly include in the meaning given to the words "house" and "dwelling-house" premises other than those included in the word "house" as interpreted in the judgments in *Cook*

(*t*) Repealed by the present Act, s. 47 (1), and Eighth Schedule. See p. 397, *infra*. For this definition, see p. 50, *infra*.

(*u*) *Thompson* v. *Ward*, *Ellis* v. *Burch* (1871), L. R. 6 C. P. 327; *Boon* v. *Howard* (1874), L. R. 9 C. P. 277; *Allchurch* v. *Hendon Union*, (1891) 2 Q. B. 436 (C. A.).

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v. *Humber* (*v*) and *Henrette* v. *Booth* (*x*), but it is submitted that these judgments supply the true test of the meaning of the word "house" in the present Act by reason of the fact that the judges were there construing the word in an Act which like the present contained no definition of "house." It should also be noticed that sect. 41 (8) of the present Act follows the Act of 1867 in expressly including in the meaning of the word "dwelling-house" "any part of a house where that part is occupied separately as a dwelling-house." The fact that the Acts referred to above contained definitions of the words "house" and "dwelling-house" and that the present Act deals expressly with the meaning of the word "dwelling-house" whilst leaving the word "house" undefined, is a strong argument against the applicability of these definitions to the word "house" in the present Act, and in favour of the meaning given to the word in the judgments mentioned above.

There would appear to be no necessity for the four months referred to in sect. 7 (2), set out on p. 16, *supra*, to be four consecutive months. It should also be observed that the period of letting may be more than four months in the whole without disfranchising the elector, provided that such period is in two and not one qualifying period.

Further, not only is the residence of a lessor

(*v*) (1862), 31 L. J. C. P. 73.
(*x*) (1863), 33 L. J. C. P. 61.

deemed to be unbroken during the time his house is let, but it is clear that the tenant may also obtain the benefit of his residence towards his qualification for the franchise during such time as he resides in the house of which he is tenant.

The provision in sect. 7 (2) set out on p. 16, *supra*, in so far as it deals with notice to quit, is unnecessary in the case of residence.

As to the meaning of the word **premises** in relation to the residence qualification, the Act contains no definition, and indeed the words **in premises** in sect. 1 (2)(a) appear to be surplusage. Provided that a man resides in the constituency, it is immaterial what is the nature or value of the **premises** in which he resides.

It should also be remembered in this connection that a man may during the course of a qualifying period move in immediate succession from one set of premises to another in the constituency (*y*), or a neighbouring constituency as described in sect. 2 (b), without losing his qualification, provided that he does not cease to reside.

This materially extends the meaning of what was formerly known, in relation to the occupation franchise, as "successive occupation." Thus, bearing in mind that the administrative county of London is, for the purposes of sect. 1 (2), to be treated as a parliamentary borough, a man may move his residence in London freely during the qualifying period in any constituency in London.

(*y*) As to the meaning of the word "constituency," see p. 3, footnote (*a*), *supra*.

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He may also move, *e.g.*, into any constituency within the parliamentary counties of Essex or Kent, as such parliamentary counties at some point touch the boundaries of the administrative county of London.

As to the manner in which a "naval or military voter" can obtain the residence qualification, see sect. 5, pp. 76—79, and pp. 86—90, 91—93, *infra*.

(b) **The requisite business premises qualification.**—In order to have this qualification **a man (i) must on the last day of the qualifying period be occupying business premises in the constituency** (*y*), **and (ii) must during the whole of the qualifying period have occupied business premises in the constituency or in another constituency within the same parliamentary borough or parliamentary county or within a parliamentary borough or parliamentary county contiguous to that borough or county or separated from that borough or county by water, not exceeding at the nearest point six miles in breadth measured in the case of tidal water from low-water mark.** For this purpose **the administrative county of London shall be treated as a parliamentary borough** (*z*).

As to the meaning of the words **on the last day of the qualifying period,** see pp. 9, 10, *supra*.

(*y*) As to the meaning of the word "constituency," see p. 3, footnote (*a*), *supra*.

(*z*) See sect. 1 (2), (b), set out on p. 2, *supra*.

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It should be noticed that in the case of the business premises qualification the requirements of sect. 1 (2) (a) are satisfied by occupation on the last day of the qualifying period, even in the case of successive occupation, without any additional period such as is required in the case of the residence qualification (*a*).

In the case of the business premises qualification, as in that of the residence qualification, there is no necessity for the land or premises occupied to be the same during the whole of the qualifying period, provided such land or premises are occupied in immediate succession and are within the requisite limits (*aa*).

The meaning of the words **occupying** in sect. 1 (2) (a) and **occupied** in sect. 1 (2) (b), like the meaning of "residence," raises difficulties.

In *Cook* v. *Humber* (*b*), Erle, C.J., in considering the meaning of occupation in relation to sect. 27 of the Reform Act, 1832, defined "occupation" as "actual exercise of the rights of the owner in possession during the requisite time."

This is apparently the only judicial definition of the word "occupation" in relation to the parliamentary franchise. Although it may perhaps be doubted (*c*) whether any useful purpose is served by referring to judgments which deal with the meaning of the word in relation to a

(*a*) See pp. 10, 11, *supra*.

(*aa*) See sect. 1 (2) (b), pp. 2, 3, *supra*. See also pp. 22—24.

(*b*) (1862), 31 L. J. C. P. at p. 75.

(*c*) See the observations of Denman, C.J., in *Rex* v. *Inhabitants of St. Nicholas* (1833), 5 B. & Ad. at p. 226; see also p. 11, *supra*.

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subject-matter other than that of the franchise, the observations made by Lush, J., in *Reg.* v. *St. Pancras Assessment Committee* (*d*) appear to be so wide as to be worth quoting in connection with the question now under consideration. "Occupation includes possession as its primary element, but it also includes something more. Legal possession (*e.g.* the possession of the owner of a vacant house) does not of itself constitute an occupation."

The cases decided under sect. 27 of the Reform Act, 1832 (*e*), as to the meaning of occupation of any warehouse, counting-house, shop, or other similar building, may be usefully referred to as throwing light on the meaning of the words "occupying" and "occupied" in sect. 1 (2) and (3) of the present Act. Under that section it was decided that the occupation required need not be actual occupation by the elector himself, but might be constructive. Thus it was held that there was occupation by the voter of a warehouse, being part of a house, where his goods were kept in the warehouse, although no one lived in the house (*f*), of a counting-house (part of a house) where he used it by himself or his clerks for the purposes of his business during the day, although such counting-

(*d*) (1877), 2 Q. B. D. at p. 588.

(*e*) It is submitted that the words **occupying business premises** will, generally speaking, have much the same effect as the words "shall occupy as owner or tenant any . . . warehouse or counting-house, shop or other building."

(*f*) *Daniel* v. *Coulsting* (1845), 7 M. & Gr. 122.

house might be locked up and left without anyone in it at night (*g*), of a shed on a wharf used by a wharfinger for keeping in it his barrows, shovels and baskets (*h*), of a shed used by a market gardener for storing potatoes (*i*), of a stone building on a piece of land, the building in which he kept guano and other manure used for the purposes of the land (*j*).

Having regard to the definitions and cases referred to above, it would appear that in order that there should be occupation within the meaning of section 1 of the present Act two conditions must be fulfilled: (1) There must be the exercise of the rights of ownership by the person to be registered, whether such person is or is not the owner, and (2) there must be actual user for the purpose of the business, profession or trade of such person.

It should be noticed that by sect. 7 (2) " . . . the occupation of a house shall not be deemed to be interrupted for the purposes of this Act by reason only of permission being given by letting or otherwise for the occupation of the house as a furnished house by some other person for part of the qualifying period not exceeding four months in the whole, or by reason only of notice to quit being served and possession being demanded by the landlord of the house; . . ." This sub-section

(*g*) *Downing* v. *Luckett* (1847), 17 L. J. C. P. 31; *Piercy* v. *Maclean* (1870), L. R. 5 C. P. 252.

(*h*) *Watson* v. *Cotton* (1847), 17 L. J. C. P. 68.

(*i*) *Powell* v. *Farmer* (1865), 34 L. J. C. P. 71.

(*j*) *Morish* v. *Harris* (1865), L. R. 1 C. P. 155.

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applies, as will be observed, only to the occupation of a "house" (*k*).

The case of a house which is used "for the purpose of the business, profession or trade of the person to be registered" being let furnished will no doubt arise rarely. The provision as to notice to quit is inserted to meet the cases in which it was held (*l*), under sect. 5 of the Representation of the People Act, 1884, that a notice to quit coupled with a demand of possession by the landlord broke the occupation.

The expression **business premises** is defined in sect. 1 (3) as **land or other premises of the yearly value of not less than ten pounds occupied for the purpose of the business, profession or trade of the person to be registered.**

The words **land or other premises** include any piece of land and any kind of structure, erection or building of whatever nature or any part thereof provided they are occupied (*m*) for the purpose of the business, profession or trade of the person to be registered.

As to the words **of the yearly value of not less than ten pounds**, it is provided by sect. 41 (9) of the present Act that "the yearly value of land or premises shall be taken to be the gross estimated rental or in the metropolis the gross

(*k*) As to the meaning of "house" (within which some "business premises" will and some will not come), see pp. 16—22, *supra*.

(*l*) *Strachan* v. *Binnie* (1888), 15 Ct. of Sess. Cas. 308; *Holland* v. *Chambers, Devine's Case*, (1894) 2 Ir. R. 442.

(*m*) See pp. 25—27, *supra*.

value where those premises are separately assessed to rates, and in any other case shall be deemed to be the amount which would in the opinion of the registration officer be the gross estimated rental or gross value as the case requires if they were separately assessed."

The expression "gross estimated rental" is defined by sect. 15 of the Union Assessment Committee Act, 1862, as "the rent at which the hereditament might reasonably be expected to let from year to year free of all usual tenant's rates and taxes and tithe commutation rent-charge, if any."

The gross estimated rental forms a step in the ascertainment of the rateable value, which is an estimate "of the rent at which the (premises) might reasonably be expected to let from year to year free of all usual tenant's rates and taxes and tithe commutation rentcharge if any and deducting therefrom the probable average annual cost of the repairs insurance and other expenses if any necessary to maintain them in a state to command such rent" (*n*).

As to the words "or in the metropolis the gross value," it should be noticed that in the Valuation (Metropolis) Act, 1869, which governs rating in the metropolis (*o*), "gross value" is substituted for the expression "gross estimated rental" which

(*n*) Parochial Assessments Act, 1836, s. 1. The definition of rateable value in the metropolis is substantially the same. See sect. 4 of the Valuation (Metropolis) Act, 1869.

(*o*) As to the meaning of "metropolis," see sects. 3, 4 of the Valuation (Metropolis) Act, 1869 (32 & 33 Vict. c. 67).

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appears in the Union Assessment Committee Act, 1862, s. 15, but the meaning of these two expressions as defined in the two Acts is the same.

The gross estimated rental of all premises outside the metropolis that are separately assessed to rates appear in the valuation lists (*r*), and in the case of the metropolis the gross value of all premises that are separately assessed appears in the valuation lists relating to the metropolis (*s*).

In *Cook* v. *Butler* (*t*) it was held, that the words "rateable value of 12*l.* or upwards" in sect. 6 (2) of the Representation of the People Act, 1867, meant real rateable value and not necessarily the rateable value which appears in the rate-book. It is, however, submitted that in view of the words used in sect. 41 (9) of the present Act quoted above (*u*), and the distinction drawn between premises which are separately assessed and those which are not, and the reference to the opinion of the registration officer in the latter case only, the gross estimated rental and gross value, as the case may be, appearing in the valuation list is, under the present Act, conclusive as to the yearly value of premises which are separately assessed to rates.

Where premises are not separately assessed to

(*r*) Union Assessment Committee Act, 1862, ss. 14, 27, and Schedule.

(*s*) Valuation (Metropolis) Act, 1869, ss. 14, 51, and Second Schedule.

(*t*) (1872), 8 C. P. 256.

(*u*) See pp. 28, 29, *supra*.

rates it becomes, by sect. 41 (9) quoted above (*v*), the duty of the registration officer to form an opinion as to what would be the gross estimated rental (or gross value) if the premises were separately assessed. In forming his opinion it is submitted that the registration officer must be governed by the law applicable to overseers or assistant overseers in estimating the gross estimated rental (and gross value).

The principles upon which the rateable value, in the ascertainment of which the gross estimated rental (or gross value) is, as was pointed out above, a step, were stated as follows by the Court of Queen's Bench (Blackburn, Quain and Archibald, JJ.), in *Mersey Docks* v. *Liverpool* (*w*), in a considered judgment which, as Lord Esher, M.R., said (*x*), "is and has always been held to be the foundation of all the subsequent decisions upon this matter":—

"Where the hereditaments, or hereditaments of a similar kind, are in practice actually let at a rent, the amount of which is ascertained by what has been called 'the higgling of the market,' the application of this definition (*y*) is easy and simple.

"Where the hereditaments are not in practice let, the problem becomes more difficult. The facts and circumstances, which would be taken

(*v*) See pp. 28, 29, *supra*.

(*w*) (1873), L. R. 9 Q. B. at pp. 96, 97.

(*x*) *Dodds* v. *South Shields Union*, (1895) 2 Q. B. at p. 136.

(*y*) *I.e.*, the definition of rateable value in the Parochial Assessment Act, 1836, s. 1, which is set out on p. 29, *supra*.

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into consideration by those who in the case of a real tenancy do in the higgling of the market fix the rent, are to be taken into consideration, and on a view of all those the net annual value of the occupation is to be determined; and in many cases the amount that is made by the trade carried on by the occupier's occupation, less an allowance for the profits which the tenant might elsewhere make by his trade, is an important element in the evidence of the annual value. In such a case as *Reg.* v. *Southampton Docks* (*z*) they were properly allowed; but it is not always so.

"If the hereditaments are such as to afford peculiar facilities for carrying on any kind of business, that facility does, beyond all question, enhance the value of the occupation; but though the profits which may be reasonably expected to arise from such a business no doubt form an element in estimating the enhanced value of the occupation of the premises, the actual profits made do not form any element, except in so far as they afford evidence of what might be reasonably expected to be made from the occupation of premises affording facility for carrying on such a business. For instance, to explain our meaning, there can be no doubt that the annual rent of a shop in Cheapside is higher than the annual rent of a similar shop in a back street; and that the reason why tenants give a higher rent is because of the superior facility for carrying on business there. But the rent and the rateable

(*z*) 17 Q. B. 83; 20 L. J. M. C. 155.

value of the shop are quite independent of the amount of the shopkeeper's actual gains. The rateable value is the same whether the tenant is a flourishing trader or is carrying on business at a loss. So, no doubt, in fixing the rent of chambers in one of the Inns of Court, the facility for carrying on the legal profession in them is an element, and an important one, but the actual income of the tenant is not. The chambers command no more rent when let to the Attorney-General than they would do if let to a young barrister just called who does not as yet pay his expenses."

In *R.* v. *School Board for London* (*a*), Lord Esher, M.R., said: "The real question is how the value is to be ascertained. The inquiry is not as to what rent is paid by the actual occupier. The mode of finding out the value is laid down in the Act (*b*), and it is to ascertain the rent which *a* tenant (not *the* tenant) taking one year with another might reasonably be expected to pay: it is also implied that where the owner occupies, he is to be considered as if he were a tenant. The directions given by the Act are equivalent to saying that one must look at all possible tenants."

As to the meaning of "yearly value" in Scotland, see sect. 43 (2), p. 310, *infra*, and in Ireland sect. 43 (12), p. 335, *infra*.

(*a*) (1886), 17 Q. B. D. at 740; see also the observations of Bowen and Fry, L.JJ., at p. 741.

(*b*) Valuation (Metropolis) Act, 1869, s. 4.

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The words **occupied for the purpose of the business, profession or trade of the person to be registered** require consideration.

In the language of Jessel, M.R., in *Smith* v. *Anderson* (*c*): "Business itself is a word of large and indefinite import. I have before me the last edition of Johnson's Dictionary, edited by Dr. Latham, and there the first meaning given of it is 'employment, transaction of affairs'; the second, 'an affair'; the third, 'subject of business, affair, or object which engages the care.' Then there are some other meanings, and the sixth is, 'something to be transacted.' The seventh is, 'something required to be done.' Then taking the last edition of the Imperial Dictionary, which is a very good dictionary, we find it a little more definite, but with a remark which is worth reading: 'Business, employment; that which occupies the time and attention and labour of men for the purpose of profit or improvement.' That is to say, anything which occupies the time and attention and labour of a man for the purpose of profit is business. It is a word of extensive use and indefinite signification. Then, 'Business is a particular occupation, as agriculture, trade, mechanics, art, or profession, ...' Therefore the Legislature could not well have used a larger word."

In the above case the learned Master of the Rolls was construing the meaning of the word "business" in sect. 4 of the Companies Act, 1862, which refers to "business that has for its object

(*c*) (1880), 15 Ch. D. at p. 258.

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the acquisition of gain." It seems clear that in the present Act the word "business" is applicable to cases where there is no profit or gain. In *Re Law Reporting Council* (*d*), where the question was whether the Council of Law Reporting were entitled to exemption from duty as being a body "established for any trade or business" within the meaning of sect. 11 (5) of the Customs and Inland Revenue Act, 1885, it was held that the Council were entitled to exemption although they did not make a profit to their own benefit. Notwithstanding this, it was held (*e*) that the Council were in fact carrying on a business.

As to the meaning of the word "trade," "it is unnecessary to refer to authorities to show that the word 'business' has a more extensive meaning than the word 'trade.' It has never been doubted that farming was a business, though it could not properly be called a 'trade,' since the latter has the technical meaning of buying and selling" (*f*). Further, as in the case of business, it is not essential to the carrying on of a trade that the persons engaged in it should make or desire to make profit by it" (*g*).

In considering whether a person is or is not carrying on a business or trade, the question of

(*d*) (1888), 22 Q. B. D. 291.

(*e*) See the observations of Lord Coleridge, C.J., *ibid.* at pp. 293, 294.

(*f*) Per Willes, J., in *Harris* v. *Amery* (1865), 35 L. J. C. P. at p. 92.

(*g*) Per Lord Coleridge, C.J., in *Re Law Reporting Council* (1888), 22 Q. B. D. at p. 293.

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continuity may be of importance. To quote one of the illustrations given by Jessel, M.R., in *Smith* v. *Anderson* (*h*), "a man occasionally buys and sells land, as many landowners do, and nobody would say he was a land-jobber or dealer in land, but if a man made it his particular business to buy and sell land . . . . he would be designated as a land-jobber or dealer in land."

The construction which the Courts will put upon the words **occupied for the purpose of the business, profession or trade of the person to be registered** is not free from doubt. It will be a question in each case (1) whether the person to be registered is occupying (*i*) the premises and (2) whether the business, profession or trade of the person to be registered is *his* business, profession or trade. It is submitted that there may be cases where an employer only is, though absent, entitled to be registered, and in view of the fact that there are no words in sect. 1 of the present Act limiting the occupation to that of owner or tenant, as was the case in former Franchise Acts, there may also possibly be some cases where the employee only is entitled to be registered, and where both employer, though absent, and employee are entitled to be registered.

It must be remembered, of course, that it is only where the employee is in a position of authority that he can possibly fulfil the require-

(*h*) (1880), 15 Ch. D. at p. 260.
(*i*) See pp. 25—28, *supra*.

ments of "occupation," viz. "the actual exercise of the rights of the owner in possession" (*k*). Sect. 1.

Sect. 7 (1) provides that "where land or premises are in the joint occupation of two or more persons, each of the joint occupiers shall for the purposes of this Part of this Act be treated as occupying the premises subject as follows:—

(a) In the case of the occupation of business premises the aggregate yearly value of the premises must for the purpose of the parliamentary franchise be not less than the amount produced by multiplying ten pounds by the number of the joint occupiers: and

. . . . .

(c) Not more than two joint occupiers shall be entitled to be registered in respect of the same land or premises unless they are bonâ fide engaged as partners carrying on their profession, trade, or business on the land or premises.

As to the manner in which a "naval or military voter" can obtain the business premises qualification, see sect. 5, pp. 76—79, and pp. 86—90, 90—91, *infra*.

University franchise (men).

2. A man shall be entitled to be registered as a parliamentary elector for a university constituency[1] if he is of full age[2] and

[1] See p. 38, *infra*. [2] See p. 4, *supra*.

(*k*) See the observations of Erle, C.J., in *Cook* v. *Humber*, quoted at p. 25, *supra*, and also p. 27, *supra*.

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not subject to any legal incapacity,[3] and has received a degree (other than an honorary degree) at any university forming, or forming part of, the constituency, or in the case of the Scottish universities is qualified under section twenty-seven of the Representation of the People (Scotland) Act, 1868,[4] or in the case of the University of Dublin has either received a degree (other than an honorary degree) or has obtained a scholarship or fellowship in the University, whether before or after the passing of this Act.

NOTE.—This section, similarly to sect. 1, is applicable to male persons only.

Registered as a parliamentary elector for a university constituency.—As to registration for university constituencies, see sect. 19, pp. 153, 154, *infra.*

The words "parliamentary elector for a university constituency" in the above section mean a person who is entitled to vote at an election of a member of the House of Commons for a constituency consisting of a university or a combination of universities. See sect. 41 (1), p. 305, *infra.*

Full age.—See p. 4, *supra.*

Not subject to any legal incapacity.—See pp. 4—8, *supra.*

Has received a degree (other than an honorary degree) at any university forming, or forming part of, the constituency. — By

[3] See pp. 4—8, *supra.* [4] See p. 39, *infra.*

sect. 2 of the Act the receipt of any degree except an honorary degree at any one of certain universities entitles a man who is of full age and not subject to any legal incapacity to the vote in a university constituency in England, Wales or Ireland. Thus, a Bachelor of Arts of the University of Oxford, who prior to this Act had no vote in virtue of his degree, is now in the same position in regard to the franchise as a Doctor of Divinity or a Master of Arts of that university. Sect. 2.

The universities in England and Wales which form a constituency or part of a constituency are mentioned in the Ninth Schedule, Part III., p. 554, *infra*.

In the case of the Scottish Universities is qualified under section twenty-seven of the Representation of the People (Scotland) Act, 1868.—Sect. 27 of the Representation of the People (Scotland) Act, 1868, enacts that "the Chancellor, the Members of the University Court, and the professors for the time being of each of the Universities of Scotland, and also every person whose name is for the time being on the register . . . . of the General Council of such University shall if . . . . of full age, and not subject to any legal incapacity, be entitled to vote in the election of a member to serve in any future Parliament for such University. . . ."

There is only one Scottish university constituency, formed by the universities of St. Andrews, Glasgow, Aberdeen, and Edinburgh.

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As to "naval or military voters," see sect. 5, pp. 76—79, and pp. 86, 87, 90, *infra*.

Local government franchise (men).

3.—A man shall be entitled to be registered as a local government elector for a local government electoral area[1] if he is of full age[2] and not subject to any legal incapacity,[3] and—

(a) is on the last day of the qualifying period occupying as owner or tenant,[4] any land or premises in that area[5]; and

(b) has, during the whole of the qualifying period, so occupied any land or premises in that area, or, if that area is not an administrative county or a county borough, in any administrative county or county borough in which the area is wholly or partly situate[6]:

Provided that—

(i) for the purposes of this section a man who himself inhabits any dwelling-house[7] by virtue of any office, service, or employment, shall if the dwelling-house is

[1] See p. 41, footnote (*n*), *infra*.
[2] See p. 4, *supra*.
[3] See p. 42, *infra*.
[4] See pp. 43—60, *infra*.
[5] See p. 60, *infra*.
[6] See pp. 61, 62, *infra*.
[7] See pp. 49—54, *infra*.

not inhabited by the person in whose service he is in such office, service, or employment, be deemed to occupy the dwelling-house as a tenant[8]; and

(ii) for the purposes of this section the word tenant shall include a person who occupies a room or rooms as a lodger only where such room or rooms are let to him in an unfurnished state.[9]

NOTE.—Section 3 states the conditions which must be fulfilled in order to entitle a male person to be **registered** (*l*) **as a local government elector** (*m*) **for a local government electoral area** (*n*).

These conditions are:—

(1) *He must be of full age.*

(2) *He must not be subject to any legal incapacity.*

[8] See pp. 49—56, *infra*. [9] See pp. 57—60, *infra*.

(*l*) As to registration for local government purposes, see Part II., Registration, sects. 11—19 of the Act, pp. 125—155, *infra*.

(*m*) The words **local government elector** in sect. 3 mean a male person who is entitled to vote at an election for any county council, municipal borough council, metropolitan borough council, district council, board of guardians, parish council or other similar body. See sect. 41 (2), pp. 305, 306, *infra*.

(*n*) The words **local government electoral area** mean the area for which any of the bodies mentioned in note (*m*) above are elected. See sect. 41 (2), pp. 305, 306, *infra*.

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(3) *He must on the last day of the qualifying period be occupying as owner or tenant any land or premises in the local government electoral area.*

(4) *He must during the whole of the qualifying period have occupied as owner or tenant any land or premises in the local government area, or if that area is not an administrative county or a county borough in an administrative county or county borough in which the area is wholly or partly situate.*

(1) *He must be of* **full age.**—As to this see p. 4, *supra.*

(2) *He must* **not** *be* **subject to any legal incapacity.**—The nature of the incapacity is the same here as in the case of a parliamentary elector (see pp. 4, 7—8, *supra*), *i.e.*, it is some quality inherent in a person or for the time being irremovable in such person which either at common law or by statute deprives him of the status of an elector. The persons who are legally incapacitated from being registered under this section as local government electors are the same as those mentioned on pages 5, 6, 7, *supra*, with the exception of peers (*o*).

(3) *He must* **on the last day of the qualifying period be occupying as owner or tenant any**

(*o*) The constitutional reasons which prevent peers from voting at an election of a member of the House of Commons are not applicable to local government elections. See *Beauchamp (Earl)* v. *Madresfield* (1872), L. R. 8 C. P. 250, 251.

land or premises in *the local government electoral* **area.**—As to the words "on the last day of the qualifying period," see pp. 9, 10, *supra*. If a man moves into a local government area within thirty days of the last day of the qualifying period, he must fulfil the conditions of sect. 7 (4), which is as follows:—"Notwithstanding anything in this Act, a person shall not be entitled to be registered as a local government elector for a local government electoral area though that person may have been occupying land or premises in the area on the last day of the qualifying period, if that person commenced to occupy the land or premises within thirty days before the end of the qualifying period, and ceased to occupy the land or premises within thirty days after the commencement of the occupation."

It will be observed that this provision is similar to sect. 7 (3), which was dealt with on pp. 10, 11, *supra*, except that under the words "occupy the land or premises" here used a change of premises during the thirty days would not be permissible, as it is under the words "reside in the constituency" in sect. 7 (3) (*p*).

be occupying as owner or tenant.—The word "occupying" in this section is used in two different senses: first in its strict legal meaning in connection with the words "as owner or tenant," the latter word being used in its usual legal signification (*q*); secondly in a looser sense when

(*p*) See p. 10, *supra*.
(*q*) See p. 47, *infra*.

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used in connection with the special meaning expressly given to the word "tenant" by proviso (ii) in sect. 3. As to the meaning of occupation in the first of the above senses, see pp. 25—27, *supra*. The word "occupying" in this sense has the same meaning in sect. 3 as in sect. 1, subject to the following qualification.

The words "as owner or tenant" do not occur in the definition in sect. 1 of the business premises qualification for the parliamentary franchise, which is based on occupation. The person to be registered as a local government elector by the qualification under consideration must "occupy" in the same sense as the parliamentary elector registered in respect of the business premises qualification (*r*), with the addition that unlike such parliamentary elector he must be the owner or tenant of the land or premises.

In practice this addition will not in the great majority of cases make any difference between the "occupation" required for a parliamentary elector registered in respect of the business premises qualification and the "occupation" required under sect. 3 for a local government elector, as the former will usually be the owner or tenant of the land or premises, the subject-matter of the occupation; but there will probably be particular instances where such is not the case. As in the case of occupation under sect. 1, so here the occupation may be actual or constructive; in

(*r*) See pp. 25—27, *supra*.

particular it would seem that a soldier or other person serving in connection with the war who is absent during a part or even the whole of the qualifying period will nevertheless be entitled to be registered as a local government elector if he is the owner or tenant of premises in which he leaves his wife or his family live during his absence (*s*).

Sect. 7 (2) of the present Act lays down that " . . . the occupation of a house shall not be deemed to be interrupted for the purposes of this Act by reason only of permission being given by letting or otherwise for the occupation of the house as a furnished house by some other person for a part of the qualifying period not exceeding four months in the whole, or by reason only of notice to quit being served and possession being demanded by the landlord of the house . . ."

It should be noticed that this provision only applies to a "house." As to the meaning of the word "house" in this provision, see pp. 16—22, *supra*.

A man would be entitled to be registered under sect. 3 notwithstanding that his house is in the occupation of a tenant (with all the usual rights) to whom he has let it furnished, provided the period for which he has let his house is not more than four months (not necessarily consecutive) in the whole during the qualifying period. Sect. 7 (2), therefore, extends the meaning of the word "occupying" in sect. 3 in an important respect.

(*s*) *Whitelaw* v. *M'Gowan* (1905), 8 F. 332.

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as, where a man has let his house he does not fulfil the conditions laid down by Erle, C.J., in defining occupation as "the actual exercise of the rights of the owner in possession" (*y*).

The observations made on pp. 22, 23, *supra*, with regard to sect. 7 (2) in relation to residence are equally applicable here with such modifications as are obviously necessary by reason of the franchise now dealt with being based on occupation instead of residence.

The effect of the provision in sect. 7 (2) set out above as to notice to quit is to prevent the disfranchisement of tenants, which under sect. 5 of the Representation of the People Act, 1884, was held (*z*) to have taken place by reason of their landlords having served them with a notice to quit and a demand of possession.

The word **owner** in sect. 3 means a person who has a freehold estate whether legal or equitable in the land or premises in question as opposed to a person having any less estate.

Tenant here means a person who whilst not an "owner" has some estate, however small either legal or equitable, in the subject-matter of the occupation, and also by proviso (ii) in sect. 3, a lodger who occupies a room or rooms which are let to him unfurnished (*a*). It is best to keep

(*y*) *Cook* v. *Humber* (1862), 31 L. J. C. P. at p. 75, and see p. 25, *supra*.

(*z*) *Strachan* v. *Binnie* (1888), 15 Ct. of Sess. Cas. 308; *Holland* v. *Chambers* (*Devine's Case*), (1894) 2 Ir. R. 442.

(*a*) As to this, see pp. 57—59, *infra*.

these two meanings of "**tenant**" in this section distinct.

Dealing first with the meaning of the word "tenant" in the first of the above meanings, it may be useful to refer to some of the cases decided under sect. 27 of the Reform Act, 1832, and sect. 5 of the Representation of the People Act, 1884, where difficult questions arose as to what constituted a tenant, as these cases would, no doubt, be held applicable in determining the meaning of the word "tenant" in sect. 3 of the present Act.

It was decided under the Act of 1884 that tenants at will (*b*) were entitled to be registered.

In *Holland* v. *Chambers* (*John Doherty's Case*) (*c*), it was held that when the sole next of kin of the deceased tenant of a house who died intestate, resided in the house and paid the rent, his occupation was that of a tenant, notwithstanding that he had never taken out letters of administration.

In *Heath* v. *Haynes* (*d*) the claimant occupied rooms in a hospital as a member of the corporation of "The Master and Brethren of the Hospital of Robert, Earl of Leicester." The property belonged to the charity and was managed by the members of the corporation, each being allotted a set of rooms over which he had exclusive control. It was held that the claimant did not occupy either as owner or tenant.

(*b*) *Rogers* v. *Harvey* (1858), 28 L. J. C. P. 17.
(*c*) (1894) 2 I. R. 285.
(*d*) (1857), 27 L. J. C. P. 50.

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In *Powell* v. *Boraston* (*e*) it was decided, that where a man built and occupied a shed on the land of a farmer (who was tenant of the land and allowed such building and occupation without his landlord's permission), the farmer was not the owner or tenant of the shed.

It should also be noticed that under the Bankruptcy Act, 1883, all the property of a person who is adjudicated bankrupt vests in the trustee in bankruptcy, and therefore the bankrupt would not be entitled to be registered as owner or tenant (in the meaning now being discussed (*f*)) under sect. 3 of this Act. There is, however, an exception in the case where a bankrupt, who occupies premises as tenant, continues to occupy them after his adjudication and pays the rent. In that case, provided the official receiver or trustee in bankruptcy has done nothing by payment of rent or otherwise in relation to the tenancy, the bankrupt may be occupying as tenant at will or by estoppel from the date of his adjudication (*g*).

By section 3, proviso (i)—"**for the purposes of this section a man who himself inhabits any dwelling-house by virtue of any office, service, or employment, shall if the dwelling-house is not inhabited by the person in whose service he is in such office, service, or employment, be deemed to occupy the dwelling-house as a tenant.**"

(*e*) (1865), 34 L. J. C. P. 73.
(*f*) See p. 47, *supra*.
(*g*) *Mackay* v. *McGuire*, (1891) 1 Q. B. 250.

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The object of this proviso, which deals with what has been hitherto known in connection with the parliamentary franchise as the "service franchise," is intended to remove the inference of law that a servant who is under an obligation to inhabit premises for the performance of his duties does not occupy as tenant.

The following points should be noticed in connection with this proviso :—

(1) To come within the proviso the premises inhabited must be a **dwelling-house**. By sect. 41 (8) of the present Act "the expression 'dwelling-house' includes any part of a house, where that part is occupied separately as a dwelling-house." The meaning of the expression "dwelling-house" in proviso (i) of sect. 3, as explained by sect. 41 (8), is not free from doubt. Sect. 3 of the Representation of the People Act, 1867, contained the words "dwelling-house," which by sect. 61 of the same Act was to be read as including "any part of a house occupied as a separate dwelling and separately rated to the relief of the poor." By sect. 59 of the same Act, that Act and the Reform Act, 1832, were to be read together as one Act. It was accordingly argued that the decisions in *Cook* v. *Humber* (*h*) and *Henrette* v. *Booth* (*i*) under sect. 27 of the Reform Act, 1832, as to the meaning of the word "house" were applicable in interpreting the expression "dwelling-house" in the Act of 1867.

(*h*) (1862), 31 L. J. C. P. at p. 76.
(*i*) (1863), 33 L. J. C. P. at pp. 62, 63.

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In the cases of *Thompson* v. *Ward, Ellis* v. *Burch* (*i*) and *Boon* v. *Howard* (*j*) the Court was equally divided as to whether it was necessary that there should be structural severance in order to constitute a "dwelling-house" within the meaning of the Act of 1867. Subsequently to these decisions the point was settled by the express words of sect. 5 of the Parliamentary and Municipal Registration Act, 1878, which made it clear that structural severance was not necessary. By that section it was, inter alia, provided that "in and for the purposes of the Representation of the People Act, 1867, the term 'dwelling-house' shall include any part of a house where that part is separately occupied as a dwelling," and that "for the purposes of any of the Acts referred to in this section (*i.e.*, amongst others the Representation of the People Act, 1867) where an occupier is entitled to the sole and exclusive use of any part of a house that part shall not be deemed to be occupied otherwise than separately by reason only that the occupier is entitled to the joint use of some other part."

It is submitted that in view of the difference in language between sect. 41 (8) of the present Act and sect. 61 (*k*) of the Representation of the People Act, 1867, and the fact that the latter Act and the Reform Act, 1832, were to be read together, it would not be held that the expression "dwelling-house" in the present Act bears the

(*i*) (1871), L. R. 6 C. P. 327.
(*j*) (1874), L. R. 9 C. 277.
(*k*) See p. 49, *supra*.

meaning given to the word "house" in *Cook* v. *Humber* (*l*) and *Henrette* v. *Booth* (*m*). Further, in view of the close similarity between the language of the first part of sect. 5 of the Parliamentary and Municipal Registration Act, 1878, quoted above (*n*), and that of sect. 41 (8) of the present Act, and the fact that the latter part of sect. 5 of the former Act was in effect declaratory of the law for the purpose of settling the doubts raised by the disagreement of the learned judges in the cases (*o*) under the Act of 1867, it is probable that the expression "dwelling-house" in the present Act would be held to have the meaning given to it by sect. 5 of the Parliamentary and Municipal Registration Act, 1878, and therefore, that where an occupier is entitled to the sole and exclusive use of any part of a house, that part shall not be deemed to be occupied otherwise than separately by reason only that the occupier is entitled to the joint use of some other part. In other words, structural severance is not necessary to constitute a "dwelling-house" under the present Act (*p*). Sect. 3.

If the above view of the meaning of "dwelling-house" in sect. 3 of the present Act is correct, it will be useful to refer to some of the cases decided under sect. 3 of the Representation of the People

(*l*) (1862), 31 L. J. C. P. at p. 76.

(*m*) (1863), 33 L. J. C. P. at pp. 62, 63.

(*n*) See p. 50, *supra*.

(*o*) See *Thompson* v. *Ward*, *Ellis* v. *Burch* and *Boon* v. *Howard*, *supra*.

(*p*) See *Allchurch* v. *Hendon Union*, (1891) 2 Q. B. 436.

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Act, 1884 (which first conferred the service franchise), as to the meaning of the expression "dwelling-house," which was the same in that Act as in the Act of 1878 (*p*).

In *Campbell* v. *Morris* (*q*), a coachman had the exclusive use and control of a room over a stable furnished as a bedroom, in which he kept his clothes and dressed, but he took his meals in the mansion-house occupied by his master, and slept there as caretaker. He claimed to be enrolled as a voter by reason that he inhabited the room over the stable as a dwelling-house by virtue of service within the meaning of sect. 3 of the Representation of the People Act, 1884. It was held that he was not entitled to the franchise, because the dwelling-house which he inhabited was not the room over the stables, but the mansion-house, which was inhabited by the person under whom he served.

In *Barnett* v. *Hickmott* (*r*), a policeman had the exclusive occupation, by virtue of his service, of a cubicle in a dormitory at a police barrack. The cubicle was separated from the rest of the dormitory, which contained a number of similar cubicles, by a partition seven feet high, but there was a space of five feet between the top of the partition and the ceiling. The policeman kept the key of his cubicle, and was entitled to lock it up at any time. It was held that the cubicle was not "part of a house separately occupied as a

(*p*) See p. 50, *supra*.
(*q*) (1895), 23 Ct. of Sess. Cas. (4th Series) 118.
(*r*) (1895) 1 Q. B. 691.

dwelling" within the meaning of sect. 5 of the Parliamentary and Municipal Registration Act, 1878, and that the policeman was not entitled to the franchise in respect of it.

In *Clutterbuck* v. *Taylor* (*s*) the facts were similar. All the cubicles had a gas-light in common. A lavatory and mess-room were provided for the policemen who occupied these cubicles in another part of the police station. The policemen occupying the cubicles were subject to the control of a superior officer, who had power to impose restrictions upon their use of the cubicles inconsistent with the rights which a person ordinarily exercises in respect of his own dwelling. It was held by Lord Esher, M.R., and Lopes, L.J., Rigby, L.J., dissenting, that the cubicle was not part of a house separately occupied as a dwelling within the meaning of sect. 5 of the Parliamentary and Municipal Registration Act, 1878.

In *M'Quade* v. *Charlton* (*t*), the claimant was, with other men, in the employment of a company which carried on an extensive drapery business in Belfast. Under his contract he was to be paid a yearly salary, to be boarded by the company, and to have a bedroom so long as he remained in their service, the service being determinable by

(*s*) (1896) 1 Q. B. 395.

(*t*) (1904) 2 I. R. 383. It is thought unnecessary to discuss the decision in *Stribling* v. *Halse* (1885), 16 Q. B. D. 246, which is now generally recognised as being erroneous. In *Barnett* v. *Hickmott* and *Clutterbuck* v. *Taylor*, *supra*, the Court refused to extend the principle of that decision; and in *M'Quade* v. *Charlton*, *supra*, the Irish Court of Appeal, consisting of the Chief Justice and three Lords Justices, declined to follow it.

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notice. There was a bolt inside the bedroom to fasten the door, but the claimant had not the key. The manager could change an employee from one bedroom to another, if necessary. There were rules, understood in the house, regulating the occupation of bedrooms, which were as follows:— (1) the claimant could not leave his business in the shop to go to his bedroom without permission; on Saturday the bedrooms were closed up to 2 p.m. for cleaning. It was also understood that an employee must not be in his bedroom between 11 a.m. and 1 p.m. on Sunday. It was held that the claimant was not entitled to the franchise.

On the other hand, in *Adams* v. *Ford* (*r*), it was held that the appellant, who was in the employment of poor law guardians, and as part of his salary was allowed to have the exclusive occupation of a sitting-room and bedroom in the main building of the workhouse, occupied a "dwelling-house" within the meaning of sect. 3 of the Representation of the People Act, 1884. Further, it is clear from the case of *Kent* v. *Fittall* (*s*) (decided under sect. 3 (2) of the Act of 1867) that it is possible for one room to be a "dwelling-house" within sect. 5 (*t*) of the Act of 1878.

(2) In order to come within this proviso it must be shown that the person in question is **a man who himself inhabits . . . by virtue of any office service or employment.**

(*r*) (1885), 16 Q. B. D. 239.
(*s*) (1906) 1 K. B. 60 (C. A.).
(*t*) Set out at p. 50, *supra*.

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In *Dover* v. *Prosser* (*u*), Alverstone, C.J., in dealing with the meaning of similar words in sect. 3 of the Representation of the People Act, 1884, said: "The governing test in cases of this sort is whether or not the occupier of the premises in respect of which the claim is made is required to occupy them either by the express terms of his employment or by the nature of his duties. If he is merely permitted but not obliged to occupy the premises so long as he performs certain duties that is not an occupation by virtue of any office service or employment."

(3) It is a condition required by proviso (i) that **the dwelling-house is not inhabited by the person in whose service he is in such office service or employment.**

The words of proviso (i), although similar to, are not identical with, the words of sect. 3 of the Representation of the People Act, 1884. The corresponding words in sect. 3 of the latter Act are "the dwelling-house is not inhabited by any person under whom such man serves in such office service or employment." The words used in proviso (i) set out above remove the difficulties which arose under sect. 3 of the Act of 1884 in determining in certain cases whether a dwelling-house was inhabited by any person "under whom" the person claiming to be registered served. The words "a person in whose service

(*u*) (1904) 1 K. B. at p. 85; see also the cases referred to in this case, also *Aitchison* v. *Lothian* (1890), 18 Ct. of Sess. Cas. (4th Series) 337.

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he is" used in proviso (i) can refer only to the immediate employer of the person claiming to be registered.

It should be noticed that absence on military service would debar a man from obtaining the local government franchise under sect. 3, proviso (i) of the present Act, notwithstanding that his family resided in the dwelling-house during his absence.

Thus, in the case of *Spittall* v. *Brook* (*v*), decided under the Representation of the People Act, 1884, s. 3 (the language of which, as pointed out above, was similar to that of proviso (i) now under discussion), it was held that a non-commissioned officer, who resided with his family in barracks, but during twenty-seven days of the qualifying year was compulsorily absent from the constituency, was not entitled to be registered as a parliamentary elector, notwithstanding that his rooms were occupied during his absence by his furniture and his family.

Sect. 7 (1) of the present Act provides that: "Where land or premises are in the joint occupation of two or more persons, each of the joint occupiers shall, for the purposes of this Part (*x*) of this Act, be treated as occupying the premises, subject as follows: . . . (c) Not more than two joint occupiers shall be entitled to be registered

(*v*) (1886), 18 Q. B. D. 426. See also *Ford* v. *Barnes* (1885), 16 Q. B. D. 254; *Donoghue* v. *Brook* (1887), 57 L. J. Q. B. 122; *Duffy* v. *Chambers*, *Ferguson* v. *Black* (1889), 26 L. R. Ir. 100.

(*x*) *I.e.*, Part I., sects. 1—10.

in respect of the same land or premises, unless they are bonâ fide engaged as partners carrying on their profession, trade or business on the land or premises." Sect. 3.

The meaning of the words "joint occupation" in sect. 7 (1) presents no difficulties, but it must be remembered that each of the joint owners or tenants in order to be entitled to be registered must fulfil the conditions of "occupation," which are dealt with on pp. 43—45 and 25—27, *supra*, and further, not more than two persons can be registered as joint occupiers unless they fulfil the condition mentioned in sect. 7 (1) set out above. As, however, there may be constructive occupation (*y*), the occupation of one of several joint owners or tenants on his own behalf and on behalf of the other joint owners or tenants would entitle all of them to be placed upon the register (*z*). This, however, is not so if the occupation of the joint occupier or occupiers on behalf of the others is based on an illegal contract, as, for instance, a partnership of more than 20 persons (*a*).

As to the second meaning (*b*) given by sect. 3 to the word "tenant," *i.e.*, the meaning given by proviso (ii) in that section, such proviso states that **the word tenant** (in sect. 3) **shall include a person who occupies a room or rooms as a**

(*y*) See pp. 44, 45, and p. 26, *supra*.
(*z*) *Jones* v. *Pritchard* (1891), 1 Fox & Smith, 259.
(*a*) *Harris* v. *Amery* (1865), 35 L. J. C. P. 89.
(*b*) As to the first meaning, see pp. 43, 44, and 25—27, *supra*.

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The chief difference between a tenant and a lodger is that the latter is entitled to live in his lodgings by reason of a purely personal contract between himself and his landlord, and has no estate, legal or equitable, in the premises in which he lodges (*c*). If the landlord retains a general control and dominion over the premises, including the part inhabited by the person in question, that person is a lodger (*d*). On the other hand, a tenant has some estate or interest carved out of the estate or interest of his landlord (*e*). He has exclusive possession (in the legal sense) of the premises (*f*), and, if wrongfully dispossessed, can recover possession by law, whereas if the personal contract between a lodger and his landlord is broken, and the lodger turned out, his only remedy at law is in damages (*g*). The occupier does not necessarily cease to be a tenant merely

(*c*) See *Ancketill* v. *Baylis* (1882), 10 Q. B. D. at p. 587.

(*d*) *Watkins* v. *Milton, &c. Overseers* (1868), L. R. 3 Q. B. at pp. 356, 357; *Allan* v. *Liverpool, Inman* v. *Kirkdale* (1874), L. R. 9 Q. B. at pp. 191, 192; *Cory* v. *Bristow* (1877), 2 App. Cas. at p. 276; *Kent* v. *Fittall*, (1906) 1 K. B. 60 (C. A.).

(*e*) *Keith* v. *Twentieth Century Club* (1904), 90 L. T. 775.

(*f*) *Taylor* v. *Caldwell* (1863), 3 B. & S. 826, 832.

(*g*) *Wright* v. *Stavert* (1859), 2 E. & E. 721.

because the landlord resides on the premises and retains control of the passages and staircases and other parts used in common (*h*).

It should be noticed that the meaning of the word "occupying" when used of a lodger must of necessity bear a different meaning from that which it bears in sect. 1 of the Act (*i*) and in sect. 3 when used of an owner or tenant (*j*). A lodger does not (since his occupation depends, as pointed out above, merely on a personal contract with his landlord) fulfil the conditions of occupation in the strict sense of the word, *i.e.* "the actual exercise of the rights of the owner in possession" (*k*); *e.g.* a lodger has no legal remedy against a person who merely enters his lodging and disturbs his privacy (*l*), nor can a lodger eject a trespasser with impunity (*m*). Moreover, the landlord maintains under the contract between him and his lodger a general right of control over the lodging. In what sense, then, is the word "occupying" used in connection with a lodger? In this connection the word bears its untechnical meaning and denotes the exercise by the lodger of his rights under his contract with his landlord. Its meaning resembles that of "residence" (*n*), the residence, of course, being in

(*h*) *Kent* v. *Fittall, supra;* but see *Douglas* v. *Smith*, (1907) 1 K. B. 126; (1907) 2 K. B. 568 (C. A.).

(*i*) See pp. 25—27, *supra*.

(*j*) See pp. 43—45, *supra*.

(*k*) *Cook* v. *Humber* (1862), 31 L. J. C. P. at p. 75.

(*l*) *Wright* v. *Stavert* (1859), 2 E. & E. 721.

(*m*) *Monks* v. *Dykes* (1839), 4 M. & W. 567.

(*n*) See pp. 11—15, *supra*.

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the lodgings. As "occupation" in this connection approximates closely to "residence," it follows that the physical presence of the lodger in his lodgings is not always necessary, as there may be a constructive occupation (*o*) of the lodgings, provided, of course, that the contract between the lodger and the landlord continues.

Sect. 7 (1) applies equally to occupation by lodgers, which may therefore be joint, as in the case of occupation by an owner or tenant (*p*). Although no doubt the case will seldom arise of joint lodgers "carrying on their profession trade or business" in the room or rooms let to them unfurnished, if such a case should arise the provisions of sect. 7 (1) (c) will apply (*q*).

It should be noted that sect. 7 (2) (*r*) has no application to a person occupying as a lodger.

Any land or premises in ***the local government electoral*** **area.**

The words "any land or premises" are very wide, and will include any piece of land or any kind of structure or building of whatsoever kind, or any part thereof, provided it is capable of being "occupied" (*s*) within the meaning of sect. 3.

It may be pointed out that where the requirement for occupation for thirty consecutive days, including the last day of the qualifying period, is

(*o*) See pp. 13—15, *supra*.
(*p*) See pp. 56, 57, *supra*.
(*q*) *Ibid.*
(*r*) See pp. 45, 46.
(*s*) See pp. 25—27, 43—45, *supra*.

applicable (*t*), there is nothing to prevent the conditions laid down in sect. 3 (a) from being fulfilled by occupation during such thirty consecutive days (*t*) partly as owner and partly as tenant, though this would, of course, be a very rare case.

(4.) *He must* **during the whole of the qualifying period** *have* **occupied** *as owner or tenant* **any land or premises** *in the local government electoral area, or* **if that area is not an administrative county or a county borough, in any administrative county or county borough in which the area is wholly or partly situate.**

He must **during the whole of the qualifying period.**—The qualifying period (*u*) is a period of six months ending either on January 15th or July 15th, including in each case the fifteenth day, and corresponds to the two registers of electors, the Spring and Autumn Registers (*x*).

As to the qualifying period in the case of a "naval or military voter," see pp. 96, 97, *infra*.

Have **occupied** *as owner or tenant.*—See pp. 43—60, *supra*.

Land or premises *in the local government electoral area.*—As to the meaning of "land or premises," see p. 60, *supra*. The land or premises occupied as owner or tenant, or the room or rooms occupied as a lodger, need not be the same throughout the qualifying period, although they must be within the limits mentioned in (4) above (*y*). Thus, a

(*t*) See p. 43, *supra*.
(*u*) See sect. 6, p. 94, *infra*.
(*x*) See pp. 95, 96, *infra*.
(*y*) See p. 41, footnote (*n*), *supra*.

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man who moves from premises outside a municipal borough to premises within the borough will not lose his local government vote provided that both sets of premises are within one administrative county. If, however, the subject-matter of the occupation changes during the qualifying period, no interval of time must elapse between the cessation of occupation in one place and the beginning of occupation in another, as the occupation must be "during the whole of the qualifying period." On the other hand it should be remembered that the physical presence of the occupier is not necessary (*z*), so that, taking the case of a tenant as an illustration, the lease of the tenant of a flat might end during the course of the qualifying period, and the tenant might, just before the expiration of the lease, become tenant of a flat in the local government electoral area, but before beginning to live in the other flat he might go away for a month's holiday. In such a case the "occupation" would be unbroken.

There is nothing in sect. 3 to prevent the registration as a local government elector of a man, part of whose qualification during a single qualifying period was obtained by virtue of his occupation as a lodger in rooms let to him unfurnished, and part by virtue of his occupation as owner or tenant (properly so called) of land or premises.

If that area is not an administrative county or a county borough, in any administrative

(*z*) See pp. 44, 45, *supra*.

county or county borough in which the area is wholly or partly situate. See observations under preceding heading, **Land or premises** *in the local government electoral area.* Sect. 3.

In England "an administrative county" means the area for which a county council is elected in pursuance of the Local Government Act, 1888, but does not include a county borough (*a*), and the only county boroughs are those mentioned in the 3rd schedule to the same Act (*b*).

In Ireland the expression "administrative county" has a meaning similar to that which it has in England (*c*).

Sect. 3 of the present Act, set out on pp. 40, 41, above, has no application to Scotland, but by sect. 43 (3) (*d*), the provisions contained in that sub-section apply to Scotland in lieu of the provisions of sect. 3.

Franchises (women).

4.—(1) A woman shall be entitled to be registered as a parliamentary elector for a constituency (other than a university constituency)[1] if she—

(a) has attained the age of thirty years[2]; and

(b) is not subject to any legal incapacity[3]; and

[1] See p. 31, footnote (*a*), *supra.* [2] See p. 67, *infra.*
[3] See pp. 67, 68, *infra.*

(*a*) Local Government Act, 1888, s. 100.
(*b*) *Ibid.* s. 31.
(*c*) Local Government (Ireland) Act, 1898, s. 1.
(*d*) Set out at pp. 310—313, *infra.*

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(c) is entitled to be registered as a local government elector in respect of the occupation in that constituency of land or premises (not being a dwelling-house) of a yearly value of not less than five pounds or of a dwelling-house, or is the wife of a husband entitled to be so registered.[4]

(2) A woman shall be entitled to be registered as a parliamentary elector for a university constituency[5] if she has attained the age of thirty years[6] and either would be entitled to be so registered if she were a man, or has been admitted to and passed the final examination, and kept under the conditions required of women by the university the period of residence, necessary for a man to obtain a degree at any university forming, or forming part of, a university constituency which did not at the time the examination was passed admit women to degrees.[7]

(3) A woman shall be entitled to be registered as a local government elector for any local government electoral area—[8]

(a) where she would be entitled to be so registered if she were a man[9]; and

[4] See pp. 68—72, *infra*.
[5] See p. 38, *supra*.
[6] See pp. 67 and 75, *infra*.
[7] See p. 73, *infra*.
[8] See p. 41, footnotes (*m*) and (*n*), *supra*.
[9] See pp. 73, 74, *infra*.

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(b) where she is the wife of a man who is entitled to be so registered in respect of premises in which they both reside, and she has attained the age of thirty years and is not subject to any legal incapacity.[10]

For the purpose of this provision, a naval or military voter who is registered in respect of a residence qualification which he would have had but for his service, shall be deemed to be resident in accordance with the qualification.[11]

NOTE.—Sect. 4 lays down the conditions which must be fulfilled in order to entitle a woman to be registered as a parliamentary elector and as a local government elector. These conditions as regards the right to registration as a parliamentary elector are :—

Parliamentary franchise (women) in constituencies other than university constituencies.

I. In the case of a constituency other than a university constituency (*e*)—

(1) *She must have attained the age of thirty years.*

(2) *She must not be subject to any legal incapacity.*

(3) *She must* (a) *be entitled to be registered as a local government elector in respect of the occupation in that constituency* (i) *of land or premises (not being a*

[10] See pp. 75, 76, *infra.* [11] See p. 76, *infra.*

(*e*) As to meaning of "constituency other than a university constituency," see footnote (*a*) on p. 3, *supra.*

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dwelling-house) *of a yearly value of not less than five pounds or* (ii) *of a dwelling-house*, or (b) *be the wife of a husband entitled to be so registered.*

Parliamentary franchise (women) in university constituencies.

II. In the case of a university constituency (*f*)—

(1) *She must have attained the age of thirty years.*

(2) *She must* (a) *fulfil the conditions which if she were a man would entitle her to be registered as a parliamentary elector for a university constituency or* (b) *have been admitted to and passed the final examination, and kept under the conditions required of women by the university the period of residence, necessary for a man to obtain a degree at any university forming, or forming part of, a university constituency which did not at the time the examination was passed admit women to degrees.*

Local government franchise (women).

There are two alternative sets of conditions one or other of which must be fulfilled in order to entitle a woman to be registered as a local government elector for a local government electoral area. These sets of conditions are:—

A.—

(1) *She must be of full age* (*twenty-one years*).

(2) *She must not be subject to any legal incapacity.*

(3) *She must on the last day of the qualifying period be occupying as owner or tenant any land or premises in the local government electoral area.*

(4) *She must during the whole of the qualifying period have occupied as owner or tenant any land or premises in the local government electoral area, or if that area is not an administrative county or a county borough, in any administrative county or county borough in which the area is wholly or partly situate.*

(*f*) As to "university constituency," see p. 38, *supra*.

Or B.—

(1) *She must have attained the age of thirty years.*

(2) *She must not be subject to any legal incapacity.*

(3) *She must be the wife of a man who is entitled to be registered as a local government elector in respect of premises in which they both reside.*

Parliamentary franchise (women) in constituencies other than university constituencies.

I.—In the case of a constituency other than a university constituency—

(1) *She must have* **attained the age of thirty years.**—See p. 4, *supra*. The remarks there made apply equally here, with the exception that the age of thirty years must be substituted for that of twenty one years or "full age."

(2) *She must* **not** *be* **subject to any legal incapacity.**—See pp. 4—8, *supra*. With the exceptions mentioned below, the incapacities attaching to men would no doubt apply equally to women, but it must be remembered that certain offices which deprive a man of the status of a parliamentary elector have not as yet been open to or held by women.

Dealing with the list of persons who are legally incapacitated, which is set out on pp. 5—7, *supra*, as to the first head, sect. 9 (5) of the present Act expressly declares that a peeress in her own right is not under any legal incapacity which prevents her from being registered or voting, and although there is no express provision to that effect, it is clear that a peeress by marriage would not be subject to any incapacity, as the constitutional reasons for which peers are excluded from the

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parliamentary franchise have no application to women (*g*).

As to the second head (*h*) in such list, viz., "a person holding any one of certain offices," women are not eligible for these offices, so that this incapacity does not apply to them.

As to head (3), viz., "an infant," it is clear that a woman under the age of thirty is legally incapacitated with respect to the parliamentary franchise as though she were an infant of the other sex.

As to the persons included under heads (4) to (8) (*i*), (viz., an alien, an idiot, a lunatic who is not at the time of voting in a lucid interval, an imbecile who is not at the time of voting *compos mentis*, a person convicted of treason or felony and sentenced, unless he has suffered his punishment or received a free pardon), the incapacities referred to would apply equally to women as to men. The same is true of all the remaining classes of persons mentioned under heads (9) to (16) on pp. 6, 7, *supra*.

As to head (17), conscientious objectors, who come within the provisions of sect. 9 (2) of the present Act, this class of persons can never include a woman, and it is expressly provided by sect. 9 (2) that any incapacity attaching to such conscientious objector shall not affect the rights of his wife.

(3) *She must* (a) *be* **entitled to be registered as a local government elector in respect of the occupation in that constituency** (i) **of land or pre-**

(*g*) See *Chorlton* v. *Lings* (1868), L. R. 6 C. P. 374; *Beauchamp (Earl)* v. *Madresfield* (1872), L. R. 8 C. P. 245.

(*h*) See p. 5, *supra*.

(*i*) See pp. 5, 6, *supra*.

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mises (not being a dwelling-house) of a yearly value of not less than five pounds, or (ii) of a dwelling-house, or (b) *be* the wife of a husband who is entitled to be so registered.

It will be noticed that there is a material difference, besides that of age, between the qualifications which confer the parliamentary franchise (in constituencies other than university constituencies) on a woman and those which confer it on a man. Those qualifications in the case of a man depend on residence or on the occupation of business premises (*k*), and are distinct from the local government franchise (*l*). In order to entitle a woman to the parliamentary franchise, she must be (1) qualified as a local government elector in respect of the occupation of a particular kind of premises, or (2) the wife of a man so qualified.

The occupation here required is the same as that required in the case of a man by sect. 3, *i.e.* it must be occupation as owner or tenant or by virtue of an office service or employment or as a lodger in a room or rooms let unfurnished. As to what constitutes such occupation, see pp. 43—60, *supra*.

In applying what is said on pp. 56, 57, 59, *supra*, with regard to joint occupation to the women's franchise now under consideration, it is important to notice the provisions of sect. 7 (1) (b), which are as follows:—"In the case of the occupation of land or premises (not being a dwelling-house) the aggregate yearly value thereof must for the pur-

(*k*) See sect. 1, pp. 1—3, *supra*.
(*l*) See sect. 3, pp. 40, 41, *supra*.

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pose of the parliamentary franchise of women be not less than the amount produced by multiplying five pounds by the number of joint occupiers."

Further, the provisions of sect. 7 (1) (c), dealt with on pp. 56, 57, 59, *supra*, are of course equally applicable here.

The particular kind of premises must be either (1) land or premises which are not a dwelling-house (such land or premises being of a yearly value of not less than 5*l.*), or (2) a dwelling-house—such particular kind of premises being in the constituency for which the woman is to be registered. The premises other than land just referred to under (1) can be any building or structure of whatsoever kind, or any part thereof, so long as it is capable of being occupied and is of the yearly value of 5*l.* As to the meaning of "dwelling-house," see pp. 49—54, *supra*.

It is submitted, although it is a difficult point, that the expression "dwelling-house" in sect. 4 (1) (c) does not include lodgings. As was pointed out on p. 49, *supra*, by sect. 41 (8) "the expression 'dwelling-house' includes any part of a house where that part is occupied separately as a dwelling-house," but a lodger does not, in the legal sense, occupy his lodgings (*m*). It would therefore appear, however unsatisfactory such a conclusion may be to many persons, that in order to qualify under sect. 4 (1) (c), a woman who is a lodger must have lodgings of the yearly value of not less than 5*l.*

(*m*) See *Kent* v. *Fittall*, (1906) 1 K. B. 60 (C. A.), and pp. 25, 26, 57—59, *supra*.

As to the meaning of "yearly value," see pp. 28—33, *supra*.

As to the alternative qualification mentioned under 3 (b) on pp. 68, 69, in order to obtain this qualification, the husband of the woman to be registered must be qualified in the same way as a woman must be under 3 (a) on p. 68, *i.e.* as a local government elector in respect of the occupation in the constituency of land or premises (not being a dwelling-house) of a yearly value of not less than five pounds or of a dwelling-house.

As to the qualifying period applicable to the husband where he is a "naval or military voter," see pp. 96, 97, *infra*.

It may be pointed out that it will not in every case be necessary for the husband himself to be in actual occupation of the premises in order that his wife should obtain the local government franchise, provided that he fulfils the conditions of constructive occupation (*n*).

It is also clear, from the express words of the section, that for the wife to be qualified, it is not necessary for the husband to be in fact registered, it is sufficient if he is *entitled* to be registered.

The meaning of the words **in that constituency** in sect. 4 (1) (c) raises a question of some difficulty. One of the requirements of the parliamentary franchise for women under sect. 4 (1) is that she must be "entitled to be registered as a local government elector in respect of the occupation *in that constituency* of land or premises . . . ." By sect. 4 (3), she "shall be entitled to be regis-

(*n*) See pp. 44, 45, *supra*.

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tered as a local government elector for any local government electoral area—

(a) where she would be entitled to be so registered if she were a man; . . . ."

By sect. 3 "a man shall be entitled to be registered as a local government elector for a local government electoral area if he . . . .

(b) has, during the whole of the qualifying period, so occupied (*i.e.*, as owner or tenant) any land or premises in that area, or if that area is not an administrative county or a county borough in any administrative county or county borough in which the area is wholly or partly situate: . . ."

The question therefore arises whether the words "in that constituency" in sect. 4 (1) (c) limit the area within which the land or premises which qualify a woman for the parliamentary franchise must be, to the constituency for which she is to be registered, or whether the wider area described in the words quoted above from sect. 3 is to be taken as being referred to by implication in sect. 4 (1) (c) as the area within which the qualifying land or premises may be.

Although it would seem probable that the Legislature intended that the first of these interpretations should be given to the sections in question, it is submitted that sect. 4 (1) (c) should be construed according to the plain meaning of its express words, and that therefore the qualifying land or premises must be situated in the constituency for which the woman is seeking to be registered.

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As to the manner in which a woman who is a "naval or military voter" can obtain the parliamentary franchise, see pp. 93, 94, *infra*.

Parliamentary franchise (women) in university constituencies.

II. In the case of a university constituency—

(1) *She must have* **attained the age of thirty years.**—See p. 67, *supra*. The remarks there made apply equally here, except that the age of thirty years must be substituted for that of twenty-one years or "full age."

(2) *She must* (a) *fulfil the conditions which* **if she were a man** *would entitle her* **to be registered as a parliamentary elector for a university constituency or** (b) *have* **been admitted to and passed the final examination, and kept under the conditions required of women by the university the period of residence, necessary for a man to obtain a degree at any university forming, or forming part of, a university constituency which did not at the time the examination was passed admit women to degrees.**

As to (a) above, see s. 2 and pp. 38, 39, *supra*. As to (b) above, the only universities where women are not admitted to degrees are Oxford and Cambridge.

Local government franchise (women).

As was pointed out on p. 66, *supra*, there are two alternative sets of conditions there referred to under the headings A and B, one or other of which sets of conditions must be fulfilled in order to entitle a woman to be registered as a local government elector for a local government electoral area.

A.—

(1) *She must be of full age.*—See p. 4, *supra*. The local government franchise is given to women

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at the same age as to men, viz. at twenty-one years, and not at thirty, as in the case of the parliamentary franchise for women.

(2) *She must not be subject to any legal incapacity.*—See pp. 67, 68, *supra*.

The nature of the incapacity is the same here as in the case of a parliamentary elector (*p*), and what is said on pp. 67, 68, *supra*, as to the legal incapacities of female parliamentary electors applies equally here, except that no question arises in regard to the position of peeresses, as peers are under no incapacity in respect of the local government franchise (*q*).

(3) *She must on the last day of the qualifying period be occupying as owner or tenant any land or premises in the local government electoral area.*—See pp. 42—61, *supra*, where everything that is said with regard to the local government franchise for men applies to women.

(4) *She must during the whole of the qualifying period have occupied as owner or tenant any land or premises in the local government electoral area, or if that area is not an administrative county or a county borough, in any administrative county or county borough in which the area is wholly or partly situate.*—See pp. 61—63, *supra*. Everything there said applies here. It must be remembered that as in the case of a man, so in the case of a woman who is a

(*p*) See pp. 4—5, 7—8, *supra*.
(*q*) See p. 42, footnote (*o*), *supra*.

"naval or military voter," the qualifying period is one month instead of six months (*r*). Sect. 4.

The set of conditions under A above give the effect of sect. 4 (3) (a).

B.—

(1) *She must have* **attained the age of thirty years**.—As to this, see p. 67, *supra*.

It should be noticed that the necessary age here is thirty years, as in the case of the parliamentary franchise for women, in contradistinction to the alternative local government franchise under heading A above, in which case the necessary age is twenty-one years.

(2) *She must* **not** *be* **subject to any legal incapacity**.—See p. 74, *supra*.

(3) *She must be* **the wife of a man who is entitled to be registered** *as a local government elector* **in respect of premises in which they both reside**.—This qualification enfranchises for local government purposes all married women who live with their husbands in premises in respect of which the husband is entitled to be registered as a local government elector.

As to the conditions which must be fulfilled in order to entitle a man to be so registered, see pp. 41, 42 *et seq.*, *supra*.

The words "premises in which they both reside" do not necessitate a "joint occupation" within the meaning of sect. 3 on the part of the husband and wife. All that is required is that they should both "reside" in the premises.

(*r*) See sect. 6, p. 94, and pp. 96, 97, *infra*.

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The following words at the end of sect. 4 should be noticed:—

For the purpose of this provision, a naval or military voter who is registered in respect of a residence qualification which he would have had but for his service, shall be deemed to be resident in accordance with the qualification.

Thus, a man serving in India in connection with the War who but for such service would be residing with his wife will for the purpose of her enfranchisement be deemed to be residing in the premises where his wife is residing.

As to the meaning of the words "a naval or military voter," see pp. 79—85, *infra*. As to the qualification referred to, see pp. 86—88, *infra*.

Special provisions for persons serving on war service.

5.—(1) A person to whom this section applies (in this Act referred to as "a naval or military voter")[1] shall be entitled to be registered as a parliamentary elector for any constituency for which he would have had the necessary qualification but for the service which brings him within the provisions of this section.[2]

The right to be registered in pursuance of the foregoing provision shall be in addition to any other right to be registered,[3] but a

[1] See pp. 79—85, *infra*. [2] See pp. 82—95, *infra*.
[3] See pp. 90, 91, 94, *infra*

naval or military voter shall not be entitled to be registered for a constituency in respect of an actual residence qualification in the constituency except on making a claim for the purpose accompanied by a declaration in the prescribed form that he has taken reasonable steps to prevent his being registered under the foregoing provision for any other constituency.[4]

(2) The statement of any person, made in the prescribed form and verified in the prescribed manner, that he would have had the necessary qualification in any constituency but for the service which brings him within the provisions of this section, shall for all purposes of this section be sufficient if there is no evidence to the contrary.

(3) This section applies to any person who is of the age required under this Act in the case of that person[6] and is not subject to any legal incapacity,[7] and who—

(i) is serving on full pay as a member of any of the naval, military or air forces of the Crown ; or

(ii) is abroad or afloat in connection with any war in which His Majesty is engaged,[9] and is

[4] See pp. 91—93, *infra*.
[5] *Ibid.*
[6] See pp. 80—82, *infra*.
[7] See p. 82, *infra*.
[8] See pp. 82, 83, *infra*.
[9] See pp. 83, 84, *infra*.

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(a) in service of a naval or military character for which payment is made out of moneys provided by Parliament, or (where the person serving was at the commencement of his service resident in the United Kingdom) out of the public funds of any part of His Majesty's Dominions, or in service as a merchant seaman, pilot, or fisherman, including the master of a merchant ship or fishing boat and an apprentice on such ship or boat[10]; or

(b) serving in any work of the British Red Cross Society, or the Order of St. John of Jerusalem in England, or any other body with a similar object; or

(c) serving in any other work recognised by the Admiralty, Army Council, or Air Council, as work of national importance in connection with the war.[11]

(4) A male naval or military voter who has served or hereafter serves in or in connection with the present war shall, notwithstanding anything in this or any other Act,

[10] See pp. 83, 84, *infra*. [11] See pp. 84, 85, *infra*.

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be entitled to be registered as a parliamentary elector if that voter at the commencement of service had attained, or during service attains, the age of nineteen years, and is otherwise qualified.[12]

NOTE.—This section relates only to the parliamentary franchise, and applies only to a person who comes within the provisions of sub-sect. (3) above. Such person is referred to in this Act as **a naval or military voter.** In order that a person should come within this description, the following conditions must be fulfilled :—

(1) *If such person is a man, he must be of full age, or, subject to certain requirements* (*t*), *younger ; if such person is a woman* (*u*), *she must have attained the age of thirty years.*

(2) *Such person must* **not** *be* **subject to any legal incapacity.**

(3) *Such person must be* (i) *serving on full pay as a member of any of the naval, military or air forces of the Crown ; or* (ii) *abroad or afloat in connection with any war in which His Majesty is engaged, and*

[12] See pp. 80—82, *infra*.

(*t*) See pp. 80—82, *infra*.

(*u*) It would appear that sect. 5 is not confined to men in its application. The word "person" includes both men and women, and the use of the word "male" in sub-section (4) indicates that the use of the expression "naval or military voter" is not confined to men. Moreover, the provisions of sub-sect. (3) (ii) (b) show beyond doubt that a woman can be a naval or military voter. See also Interpretation Act, 1889, s. 1 (1).

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(a) *in service of a naval or military character for which payment is made out of moneys provided by Parliament, or (where the person serving was at the commencement of his service resident in the United Kingdom) out of the public funds of any part of His Majesty's Dominions, or in service as a merchant seaman, pilot or fisherman, including the master of a merchant ship or fishing boat, and an apprentice on such ship or boat; or* (b) *serving in any work of the British Red Cross Society or the Order of St. John of Jerusalem in England, or any other body with a similar object; or* (c) *serving in any other work recognised by the Admiralty, Army Council or Air Council as work of national importance in connection with the war.*

(1) *If such person is a man he must be of full age or subject to certain requirements may be younger; if such person is a woman she must have attained the age of thirty years.*

Sect. 5 (3) states that **this section** (sect. 5) **applies to any person who is of the age required under this Act in the case of that person.** The age required under this Act is in the case of a man, subject to the exception contained in sect. 5 (4), full age or twenty-one years, and in the case of a woman as regards the parliamentary franchise (to which the above section alone relates) thirty years. As to the meaning of "full age," see p. 4, *supra*. As to the meaning of "thirty years," see p. 67, *supra*.

Sect. 5 (4) is as follows:—**A male naval or military voter who has served or hereafter**

serves in or in connection with the present war shall, notwithstanding anything in this or any other Act, be entitled to be registered as a parliamentary elector if that voter at the commencement of service had attained, or during service attains, the age of nineteen years, and is otherwise qualified. Sect. 5.

This sub-section applies to any male person who falls within sect. 5 (3) (i) or (ii) above and "has served or hereafter serves in or in connection with the *present* war."

The words, **and is otherwise qualified**, at the end of the sub-section refer, of course, to the qualifications for the franchise required by sect. 5 (1)(*y*).

As to when a man will be held to have attained the age of nineteen years, see p. 4, *supra*.

It seems clear that, notwithstanding the language used in sect. 5 (4) set out above, as in the case of full age, so here the age of nineteen years must be attained not later than the last day of the qualifying period (*z*), *i.e.*, on January 15th or July 15th as the case may be.

The effect of sub-sect. (4) is to enfranchise all soldiers and sailors and other men who come within sect. 5 (3) (i) and (ii), provided they have served in connection with the war, at the age of nineteen, subject, of course, to their having the requisite qualifications (*y*).

It must further be noticed that it is only while

(*y*) As to these qualifications, see pp. 85, 86, 86—93.

(*z*) See p. 4, *supra*.

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he is actually serving that a person comes within the description of a naval or military voter, and that therefore if a man is discharged from or otherwise terminates the service which constitutes him a naval or military voter before he has attained the age of twenty-one, he is legally incapacitated (*z*) from being registered or voting during the interval between such discharge or termination and the time when he attains such age.

(2) *Such person must* **not** *be* **subject to any legal incapacity**.—See pp. 2—8, 67, 68, *supra*.

(3) *Such person must be* (i) **serving on full pay as a member of any of the naval, military or air forces of the Crown.**—Anyone coming within this description need not be abroad or afloat in order to qualify for the vote under this sub-section.

It is believed that women are not officially recognised by the Admiralty, Army Council or Air Council as members of the naval, military or air forces of the Crown, but Forms (6) and (7) in Part V. of the Schedule to the Order in Council dated March 4th, 1918, set out on pp. 573, 574, *infra*, are headed "Women serving with the Military Forces" and "Women serving with the Air Force" respectively. Form (8) (*a*), on the other hand, is headed "Women serving abroad or afloat in connection with the war." In view of the fact that by sect. 5 (3) (i) it is only a person "serving on full pay as a member of any of the naval, military or air forces of the Crown" who obtains the franchise as a naval or military voter without

(*z*) See pp. 4—8, *supra*.
(*a*) Set out on p. 574, *infra*.

being abroad or afloat, it would appear probable that women, *e.g.* members of the Women's Army Auxiliary Corps, or women serving with the Army Service Corps or Royal Air Force would fulfil the requirements of (3) (i) above. Sect. 5.

The service required under (3) (i) above is in no way dependent on the existence of the present or any other war.

Or (ii) **abroad or afloat in connection with any war in which His Majesty is engaged and is (a) in service of a naval or military character for which payment is made out of moneys provided by Parliament or (where the person serving was at the commencement of his service resident in the United Kingdom) out of the public funds of any part of His Majesty's Dominions, or in service as a merchant seaman, pilot or fisherman including the master of a merchant ship or fishing boat and an apprentice on such ship or boat or (b) serving in any work of the British Red Cross Society or the Order of St. John of Jerusalem in England or any other body with a similar object or (c) serving in any other work recognised by the Admiralty, Army Council, or Air Council as work of national importance in connection with the war.**

Abroad.—This means outside the United Kingdom of Great Britain and Ireland.

Afloat.—By sect. 41 (10)(*b*) of the present Act this word "shall be interpreted in accordance

(*b*) Set out at p. 308, *infra*.

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with rules (*c*) made for the purpose by the Admiralty."

In connection with any war in which His Majesty is engaged.—The service required by sect. 5 (3) (ii) is not limited to the present war, but may be in connection with any future war. The word "war" here would, it is submitted, be interpreted as including only a state of hostilities between his Majesty on the one side and an independent sovereign State on the other.

In service of a naval or military character for which payment is made out of moneys provided by Parliament, or (where the person serving was at the commencement of his service resident in the United Kingdom) out of the public funds of any part of His Majesty's Dominions.—These words are wide and would apparently include persons who, being paid out of public moneys, are not in direct naval or military service, for instance, mine-sweepers and men engaged on labour or railway work connected with military operations. They would also, no doubt, include many women engaged in transport, clerical, and other work, directly connected with hostilities, as, for example, members of the Women's Army Auxiliary Corps. As to the meaning of the word **resident,** see pp. 11—16, *supra.*

As to head (3) (ii) (c) above, this category of persons includes persons, abroad or afloat, serving in any work recognised by the Admiralty, Army Council, or Air Council as work of national importance in connection with the war, and, like

(*c*) For these rules, see p. 628, *infra.*

heads 3 (ii) (a) and (b), women as well as men. The words, **work recognised by the Admiralty, Army Council or Air Council,** refer to the work mentioned on p. 635, *infra.* It should be noticed that the word **war** in the words **in connection with the war** at the end of (c) above, refers to the words in (ii), **any war in which His Majesty is engaged**, and therefore not to the present war only. Sect. 5.

Having dealt with the question who is a naval or military voter, it is now necessary to deal with the qualifications which entitle a naval or military voter (*i.e.*, a person to whom sect. 5 applies) to be registered. Qualifications of naval and military voters.

These qualifications are as follows:—

A.—*A male naval or military voter shall be entitled to be registered as a parliamentary elector for any constituency—*

(1) *If he would, but for the service which brings him within the provisions of sect.* 5, *have had* (a) *the requisite residence qualification in the constituency: or* (b) *the requisite business premises qualification in the constituency; or* (c) *in the case of a university constituency the requisite qualification for such university constituency; or*

(2) *If he has the requisite business premises qualification in the constituency; or*

(3) *If he has the requisite residence qualification in the constituency, provided in this case that he makes a claim for the purpose, accompanied by a declaration in the prescribed form; or*

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(4) *If in the case of a university constituency he has the requisite qualification for such constituency.*

B.—A female naval or military voter shall be entitled to be registered as a parliamentary elector for any constituency—

(1) *If she would but for the service which brings her within the provisions of sect.* 5 (a) *have been entitled to be registered as a local government elector in respect of the occupation in that constituency of land or premises (not being a dwelling-house) of a yearly value of not less than £5 or of a dwelling-house; or* (b) *if, in the case of a university constituency, she would but for such service have had the requisite qualification for such university constituency; or*

(2) *If she is entitled to be registered as a local government elector in respect of the occupation in that constituency of land or premises (not being a dwelling-house) of a yearly value of not less than £5 or of a dwelling-house, or is the wife of a husband entitled to be so registered; or*

(3) *If in the case of a university constituency she has the requisite qualification in such constituency.*

Qualifications of male naval and military voters.

As to A.:—A male naval or military voter **shall be entitled to be registered as a parliamentary elector for any constituency**—

(1) *If he* **would but for the service which brings him within the provisions** *of sect.* 5 **have had** (a) *the requisite residence* **qualification** *in the constituency, or* (b) *the requisite business premises* **qualification** *in the constituency, or* (c) *in the case of a university constituency the requisite* **qualification** *for such university constituency.* It is clear

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that this is the meaning of the first sentence of sect. 5 (1). The words in that section, **the necessary qualification,** can only mean the requisite residence qualification or the requisite business qualification or the requisite university qualification.

It should be remembered that in order to come within the description, "a naval or military voter," a person must have fulfilled the conditions of the franchise which relate to age and absence of legal incapacity (*d*).

The words, **the service which brings him within the provisions of** *sect.* 5, refer, of course, to the various kinds of service mentioned in sect. 5 (3)(*e*), by virtue of which a person becomes a "naval or military voter."

As to the meaning of (a) *the requisite residence qualification*, see pp. 9—24, *supra*. As to the meaning of (b) *the requisite business premises qualification*, see pp. 24—37, *supra*.

An important point must be observed with regard to the requisite residence and business premises qualifications in their application to naval and military voters. By the proviso in sect. 6 of the present Act, the qualifying period for a naval or military voter is one month, ending either on January 15th or July 15th, instead of the ordinary qualifying period of six months. In applying the observations as to the requisite residence qualification on pp. 9—24, *supra*, and the

(*d*) See pp. 79, 80—82, *supra*.
(*e*) See pp. 82—85, *supra*.

Sect. 5. requisite business premises qualification on pp. 24—37, *supra*, to naval and military voters, this difference in the qualifying period must be remembered.

It is impossible to understand fully the effect of the qualification conferred by the first sentence in sect. 5 (1), and stated under A. (1) on p. 86, without referring shortly to the method and machinery of registration connected with it. By Rule 17 of the Registration Rules (*f*), it is the duty of the registration officer to place the names of all naval or military voters (subject to the two exceptions there mentioned (*g*)) on the absent voters' list. By Rule 6 of the Registration Rules (*h*) it is the duty of the registration officer "to cause a house-to-house or other sufficient inquiry to be made . . . of all persons appearing to be entitled to be registered as parliamentary . . . electors." In the course of this inquiry he will discover the existence of a number of men and women absent on various kinds of war service in his registration area, and it will be his duty to ascertain whether they are entitled to be registered on the absent voters' list as naval or military voters.

By sect. 5 (2), **the statement of any person, made in the prescribed form and verified in the prescribed manner, that he would have had the necessary qualification in any constituency but for the service which brings him within the**

(*f*) First Schedule to the present Act, pp. 345, 346, *infra*. See also sect. 13, pp. 133, 134, *infra*.

(*g*) First Schedule, Rule 17 (a) and (b), pp. 345, 346, *infra*.

(*h*) First Schedule, p. 341, *infra*.

provisions of this section, shall for all purposes of this section be sufficient if there is no evidence to the contrary. Sect. 5.

If the registration officer receives such a statement from a naval or military voter in his registration area and there is no evidence to the contrary (which in the great majority of cases there will not be), he need inquire no further as to that person's qualifications. In the absence of such a statement, however, it becomes the duty of the registration officer to ascertain whether the naval or military voter would have had the requisite residence qualification or the requisite business premises qualification but for the service which makes him or her a military voter. By Rule 18 of the Registration Rules (*i*) the Admiralty, Army Council and Air Council are to furnish to the registration officer such particulars concerning naval and military voters "as may be necessary for the purpose of their registration." Notwithstanding this assistance, however, inquiry as to whether or not a particular person is entitled to be registered will, as was pointed out in dealing with these qualifications under sect. 1 (*j*), frequently raise questions of great difficulty and complexity, which, it is evident, it will often be impossible for the registration officer to investigate adequately and to decide in the case of an absent person. It seems certain, therefore, that in general the qualification of naval and military voters

(*i*) First Schedule, p. 346, *infra*.
(*j*) See pp. 9—37, *supra*.

Sect. 5. under head (1) above will be ascertained in a rough and ready manner by the registration officer, and probably, in the case of the requisite residence qualification, merely by learning that the person to be registered lived in a particular house before undertaking his or her war service.

If the registration officer once places the name of any naval or military voter on the register, the register will be conclusive evidence of that person's right to vote (*k*). It should, of course, be remembered, however, that on a scrutiny the election court would disallow the votes of persons under a legal incapacity (*l*).

As to (*c*), *in the case of a university constituency the requisite* **qualification** *for such university constituency.*—This case will arise very rarely, as it is only where the naval or military voter has passed the necessary examinations and kept the necessary residence for a degree but has not yet been admitted to such degree that he could claim to be registered under this head (*m*).

(2) *If he has the requisite business premises qualification in the constituency.*—In sect. 5 (1) the following words appear :—**The right to be registered in pursuance of the foregoing provision** (*i.e.*, the first sentence in sect. 5 (1)) **shall be in addition to any other right to be registered.** It follows, therefore, that, if notwithstanding his service

(*k*) See pp. 102—108, *infra*.
(*l*) See pp. 4—8, 102—108.
(*m*) See pp. 38, 39, *supra*.

within the meaning of sect. 5 (3) a naval or military voter has in fact the requisite business premises qualification (*n*) in a constituency, he is entitled to be registered in such constituency by reason of that qualification.

In considering whether a naval or military voter has the requisite business premises qualification it is important to notice the modification in the length of the qualifying period required, which is dealt with on pp. 87, 88, 96, 97, *supra*.

It should be observed that no claim is necessary in order to obtain registration under head (2).

(3) *If he has the requisite residence qualification in the constituency, provided in this case that he makes* **a claim for the purpose, accompanied by a declaration in the prescribed form.**

By sect. 5 (1) . . . . **The right to be registered in pursuance of the foregoing provision** (*i.e.*, the provision contained in the first sentence in sect. 5) **shall be in addition to any other right to be registered, but a naval or military voter shall not be entitled to be registered for a constituency in respect of an actual residence qualification in the constituency except on making a claim for the purpose accompanied by a declaration in the prescribed form that he has taken reasonable steps to prevent his being registered under the foregoing provision for any other constituency.**

Unlike the qualification noticed under (2) above, in order to be registered by virtue of an actual

(*n*) See pp. 24—37, *supra*, and particularly the remarks on constructive occupation on pp. 26, 27, *supra*.

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residence qualification, a naval or military voter must make a claim accompanied by the declaration (*n*) referred to in that part of sect. 5 (1) which is set out above.

It is submitted that the words **actual residence qualification** which occur there are, subject to the difference in the length of the qualifying period pointed out on pp. 87, 88, *supra*, equivalent to the words "requisite residence qualification" (*o*) in sect. 1 of the Act, and that the word "actual" is used merely to distinguish this qualification from a residence qualification which a naval or military voter "would have had" "but for the service which brings him within the provisions of sect. 5" (*p*). It could not, it is suggested, be held that the "residence" here required must be actual as opposed to constructive residence (*q*).

The object of the requirement of the above provision is to prevent the registration of a naval or military voter in more than one constituency by virtue of a residence qualification. The case contemplated by the Act is, for example, that of a soldier whose home is in one constituency but who is quartered in another. If he desires to be registered for the constituency in which he is quartered by reason of his residence there, rather than for the constituency where his home is and where he would have resided but for his

(*n*) For form of claim and declaration, see p. 569, *infra*.
(*o*) As to the meaning of these words, see pp. 9 - 24, *supra*.
(*p*) See pp. 82—85, *supra*.
(*q*) See pp. 11—15, *supra*.

service, he must make the claim and declaration (*r*) required by sect. 5 (1). Sect. 5.

(4) *If in the case of a university constituency he has the requisite qualification for such constituency.*—As to this, see pp. 38—39, *supra*.

Qualifications of female naval and military voters.

As to B.—A female naval or military voter shall be entitled to be registered as a parliamentary elector for any constituency—

(1) *If she* **would but for the service which brings** *her* **within the provisions** *of sect.* 5 (a) *have been entitled to be registered as a local government elector in respect of the occupation in that constituency of land or premises (not being a dwelling-house) of a yearly value of not less than five pounds, or of a dwelling-house, or* (b) *if, in the case of a university constituency, she would but for such service have had the requisite qualification for such university constituency.*

See the general observations under A. (1) on pp. 86, 87, *supra*. As to the qualifications mentioned under (1) (a) above, see pp. 68—72, *supra*. As to the qualifications mentioned under (1) (b) above, see p. 73, *supra*. See also the observations as to registration on p. 88, *supra*, which apply equally here with the obvious modifications.

It must be borne in mind that the qualifying period for naval or military voters is one month, instead of six months; see pp. 96, 97, *infra*.

(2) *If she is entitled to be registered as a local government elector in respect of the occupation in that constituency of land or premises (not being a dwelling-house) of a yearly value of not less than five pounds,*

(*r*) See p. 569, *infra*.

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or of a dwelling-house, or is the wife of a husband entitled to be so registered.

In view of the words in the second sentence of sect. 5 (1), **the right to be registered in pursuance of the foregoing provision shall be in addition to any other right to be registered,** it is clear that a female naval or military voter is entitled to be registered by reason of a parliamentary qualification which she in fact has.

As to the qualifications here referred to, see pp. 67—72, *supra*. It must, of course, be remembered that the qualifying period for a naval or military voter is one month; see pp. 96, 97, *supra*.

(3) *If in the case of a university constituency she has the requisite qualification for such constituency.* See p. 73, *supra*.

Qualifying period.

6. — The qualifying period shall be a period of six months ending either on the fifteenth day of January, or the fifteenth day of July, including in each case the fifteenth day :[1]

Provided that in the application of this section to a person who is a naval or military voter, or who has been serving as a member of the naval, military, or air forces of the Crown at any time during the said six months and has ceased so to serve, one month shall be substituted for six months as the qualifying period.[2]

NOTE.—Sect. 6 defines the qualifying period,

[1] See pp. 95, 96, *infra*. [2] See pp. 96, 97, *infra*.

which is one of the elements of (1) the residence qualification (*r*), (2) the business premises qualification (*s*), (3) the local government franchise for men (*t*), (4) the franchises for women (*u*), and (5) the franchise of naval and military voters (*x*).

Sect. 6 in effect enacts that there shall be two kinds of qualifying periods; the one of general application, which is called in this Note the *ordinary qualifying period*, the other applying only to a certain class of persons, namely, naval and military voters, or persons who have been and are no longer soldiers and sailors within the proviso to sect. 6, which is called in this Note the *special qualifying period*.

(1) *The ordinary qualifying period.*—This is **a period of six months ending either on the 15th day of January or the 15th day of July,* including in each case the fifteenth day,** *i.e.*, there are in each twelve months two qualifying periods, the one from 16th July to 15th January (both dates inclusive), the other from 16th January to 15th July (both dates inclusive). As the law does not take notice of a part of a day (*y*), it would be sufficient in order to come within the words "during the whole of the qualifying period"

(*r*) See pp. 9—24, *supra*.
(*s*) See pp. 24—37, *supra*.
(*t*) See pp. 42—62, *supra*.
(*u*) See pp. 65—76, *supra*.
(*x*) See pp. 85—94, *supra*.
(*y*) 1 Bl. Com. 463; *Anon.* (1700), Ld. Raym. 480, 1096.

* N.B.—In connection with the first register under the Act the last day of the qualifying period is 15th April, 1918 (Order in Council dated 4th June, 1918, rule 6, p. 749, and Fifth Schedule, p. 752).

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if the residence or occupation required began on any part, however late, of the first day of the period, and ended on any part, however early, of the last day of the period.*

The Spring Register is made for the period ending on January 15th, and the Autumn Register is made for the period ending on July 15th (*y*). The ordinary qualifying period of six months is the one applicable to all persons claiming the franchise under sects. 1, 3, 4 (1), (3) and (5), subject to the exception mentioned in the proviso to sect. 6, and referred to below.

(2) *A special qualifying period.*—The effect of the proviso in sect. 6 is to create a special qualifying period of one month, ending either on the fifteenth day of January or the fifteenth day of July,* including in each case the fifteenth day, *i.e.*, there are in each twelve months two such periods, the one from December 16th to January 15th (both dates inclusive), the other from June 16th to July 15th (both dates inclusive). What was said under (1), above, as to the sufficiency of part of a day applies equally here. This special qualifying period is, for a particular class of persons, treated as though it were the ordinary qualifying period. The persons to whom the special qualifying period is applicable are (a) **a naval or military voter** (*z*),

(*z*) Sect. 11, p. 125, *infra*, and see footnote (*) below.

* N.B.—In connection with the first register under the Act the last day of the qualifying period is 15th April, 1918 (Order in Council dated 4th June, 1918, rule 6, p. 749, and Fifth Schedule, p. 752).

and (b) any person claiming the franchise under sects. 1, 3, 4 (1) and (3), who at any time during the ordinary qualifying period (*a*) has been serving as **a member of the naval, military, or air forces of the Crown** (*b*), and has during the same qualifying period ceased so to serve. *E.g.*, a soldier is serving in the army on 17th July in any year and is invalided out of the army on the 18th July; then, provided he fulfils the other conditions (*c*) necessary to acquire the franchise, he need only reside in premises or occupy land or premises from December 16th to January 15th in order to be entitled to be registered for the qualifying period ending January 15th. Sect. 6.

The special qualifying period applies to local government electors as well as to parliamentary electors. It is clear that although sect. 5 deals only with the parliamentary franchise, a "naval or military voter" as defined by that section can be a local government elector.

A curious point arises in connection with the special qualifying period with respect to the interpretation of sect. 7 (2) dealt with on pp. 16—23, 27, 28, 45, 46, *supra*. Though doubtless contrary to the intention of those who framed the Act, it would appear that a person to whom the special qualifying period is applicable could not avail himself or herself of the provisions of sect. 7 (2), as the words therein, "for part of the qualifying

(*a*) See p. 95, *supra*.
(*b*) See pp. 82, 83, *supra*.
(*c*) See pp. 3, 4, *supra*.

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period not exceeding four months in the whole," cannot apply to the qualifying period of one month.

It should be noticed that as regards Ireland the provisions of sect. 44 (11) (a), set out at p. 334, *infra*, are substituted for sect. 6.

Supplemental provisions as to residence and occupation.

7.—(1) Where premises are in the joint occupation of two or more persons, each of the joint occupiers shall, for the purposes of this Part (*d*) of this Act, be treated as occupying the premises, subject as follows:

(a) In the case of the occupation of business premises the aggregate yearly value of the premises must for the purpose of the parliamentary franchise be not less than the amount produced by multiplying ten pounds by the number of the joint occupiers; and

(b) In the case of the occupation of land or premises (not being a dwelling-house) the aggregate yearly value thereof must for the purpose of the parliamentary franchise of women be not less than the amount produced by multiplying five pounds by the number of joint occupiers; and

(c) Not more than two joint occupiers

(*d*) *I.e.*, Part I., ss. 1—10.

shall be entitled to be registered in respect of the same land or premises, unless they are bonâ fide engaged as partners carrying on their profession, trade or business on the land or premises.

(2) Residence in a house or the occupation of a house shall not be deemed to be interrupted for the purposes of this Act by reason only of permission being given by letting or otherwise for the occupation of the house as a furnished house by some other person for part of the qualifying period not exceeding four months in the whole, or by reason only of notice to quit being served and possession being demanded by the landlord of the house; but the express enactment of this provision shall not affect in any way the general principles governing the interpretation of the expression "residence" and cognate expressions.

(3) Notwithstanding anything in this Act, a man shall not be entitled to be registered as a parliamentary elector for a constituency in respect of a residence qualification though he may have been residing in premises in the constituency on the last day of the qualifying period, if he commenced to reside in the constituency within thirty days before the end of the qualifying period, and ceased to

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reside within thirty days after the time when he so commenced to reside.

(4) Notwithstanding anything in this Act, a person shall not be entitled to be registered as a local government elector for a local government electoral area though that person may have been occupying land or premises in the area on the last day of the qualifying period, if that person commenced to occupy the land or premises within thirty days before the end of the qualifying period, and ceased to occupy the land or premises within thirty days after the commencement of the occupation.

NOTE.—As to (1) (a), see pp. 24—37, *supra*. As to (1) (b), see pp. 69—71, *supra*. As to (1) (c), see pp. 24—37 and pp. 43—60, *supra*. As to (2), as regards **residence in a house**, see pp. 16—23, *supra*, and as regards **the occupation of a house**, see pp. 45, 46, *supra*.

As to the provision at the end of (2), see p. 11, *supra*. As to (3), see pp. 10, 11, *supra*. As to (4), see p. 43, *supra*.

Right of person registered to vote.

8.—(1) Every person registered as a parliamentary elector for any constituency shall, while so registered (and in the case of a woman notwithstanding sex or marriage), be entitled to vote at an election of a member to serve in Parliament for that

constituency[1]; but a man shall not vote at a general election for more than one constituency for which he is registered by virtue of a residence qualification or for more than one constituency for which he is registered by virtue of other qualifications of whatever kind,[2] and a woman shall not vote at a general election for more than one constituency for which she is registered by virtue of her own or her husband's local government qualification, or for more than one constituency for which she is registered by virtue of any other qualification.[3]

(2) A person registered as a local government elector for any local government electoral area shall while so registered (and in the case of a woman notwithstanding sex or marriage) be entitled to vote at a local government election for that area,[4] but where, for the purposes of election, any such area is divided into more than one ward or electoral division, by whatever name called, a person shall not be entitled to vote for more than one such ward or electoral division.[5]

Notwithstanding anything in this provision a person may be registered for more than one such ward or division of a local government electoral area (not being a

[1] See pp. 102—108, *infra*.
[2] See pp. 108—110, *infra*.
[3] *Ibid.*
[4] See p. 110, *infra*.
[5] See pp. 110—111, *infra*.

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municipal borough), and may vote in any such ward or division for which he is registered at an election to fill a casual vacancy.[6]

(3) A naval or military voter who is registered in respect of a qualification which he would have had but for his service shall be deemed for the purpose of this section to be registered by virtue of that qualification.[7]

NOTE.—Sect. 8 deals with the rights of persons, both male and female, registered as parliamentary or local government electors to vote.

Sect. 8 (1) begins by stating the general principle that **every person registered as a parliamentary elector for any constituency shall, while so registered (and in the case of a woman notwithstanding sex or marriage), be entitled to vote at an election of a member to serve in Parliament for that constituency** (*d*), and then proceeds to limit the number of votes which a person may give.

The principle that registration entitles a person to vote must be read in conjunction with and subject to the qualifications contained in sect. 9 (3). Sect. 9 (3) is as follows:—"A person shall not be entitled to be registered or to vote as a parliamentary or local government elector if he is not a British subject (*e*), and nothing contained in this

[6] See pp. 111, 112, *infra*. [7] See p. 112, *infra*.

(*d*) As to the meaning of "constituency," see p. 3, footnote (*a*), *supra*.

(*e*) See pp. 121, 122, *infra*.

Act shall, except as expressly provided therein, confer on any person who is subject to any legal incapacity to be registered or to vote either as a parliamentary or local government elector any right to be so registered or to vote." Sect. 8.

The sub-section just quoted has, as regards parliamentary electors, the same effect, except as to penalties, as the proviso in sect. 7 of the Ballot Act, 1872, which stands unrepealed by the present Act. That proviso is as follows:—"Nothing in this section (sect. 7 of the Ballot Act, 1872) shall entitle any person to vote who is prohibited from voting by any statute, or by the common law of Parliament, or relieve such person from any penalties to which he may be liable for voting." The words "subject to any legal incapacity" in sect. 9 (3) of the present Act have the same effect as the words "prohibited . . . by any statute or by the common law of Parliament" in sect. 7 of the Ballot Act, 1872.

The position as regards voting of a person who is registered as a parliamentary elector is, therefore, as follows, bearing in mind, however, the limitation of the number of votes which one person is entitled to give, which is dealt with on pp. 108—110, *infra*.

The register at an election is conclusive evidence (*f*) of the right of any person to vote whose name appears therein, and no one is entitled to vote unless his name is on the register of electors for the time being in force. The register is also conclusive evidence (*f*) before any tribunal in-

(*f*) See pp. 104, 105, 106, 107, *infra*.

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quiring into any election except in the cases of voters to whom some personal disqualification attaches, *i.e.*, voters who are legally incapacitated (*g*). The remarks of the learned judges in the cases hereinafter cited, which were decided under the Ballot Act, 1872, apply equally under the present Act.

In *Stowe* v. *Jolliffe* (*h*), Lord Coleridge, C.J., said :—

"I think the true construction of these sections (*i*) . . . is to make the register conclusive not only on the returning officer, but also on any tribunal which has to inquire into elections, except in the case of persons ascertained by the proviso (at the end of sect. 7). These are 'persons prohibited from voting by any statute or by the common law of Parliament.'

"I do not think that these words are pointed at any of the cases which my brother Mellor has referred to us. . . . Non-residence within the proper distance of the borough ; non-occupation ; insufficient qualification—none of these things appear to satisfy the words of this proviso. It does not mean persons who from failure in the incidents or elements of the franchise could be successfully objected to on the revision of the register ; it means persons who from some inherent or for the

(*g*) See pp. 4—8, *supra*.

(*h*) (1874), L. R. 9 C. P. 750.

(*i*) Sect. 7 of the Ballot Act, 1872, and sect. 79 of the Parliamentary Voters Registration Act, 1843. The enacting part of sect. 79 (which was the only part of that section still in force at the time of the above decision) was to the same effect as sect. 7 of the Ballot Act.

time irremovable quality in themselves have not, either by prohibition of statutes or at common law, the status of parliamentary electors (*k*). Such, for example, are peers, whether of the United Kingdom, or of Scotland, or of Ireland, . . . persons holding certain offices or employments the subjects of statutory prohibitions, and persons convicted of crimes which disqualify them from voting. I do not say that this list is exhaustive. It is enough to give examples of the cases in which I think the register would be still open."

The register, therefore, will not be conclusive at the trial of an election petition in the case of the persons mentioned on pp. 5—7, *supra*, as being legally incapacitated, whether the disqualification occurs before or after registration. But in all these cases the returning officer cannot refuse to deliver a ballot paper if the person's name is on the register, though if he votes his name may be struck off on a scrutiny (*l*).

In all cases, however, where the disqualification is not of a personal nature the register will be conclusive even at the trial.

Thus non-residence (*m*), non-occupation or insufficient qualification (*n*), or other non-personal disqualification will not disqualify if the name is in fact on the register.

(*k*) See pp. 4—8, *supra*.
(*l*) See pp. 106, 107, *infra*.
(*m*) *Stowe* v. *Jolliffe* (1874), L. R. 9 C. P. 750.
(*n*) *Ibid.*

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"It seems to me," said Channell, J., in *Pembroke* (*q*), "that the policy of the Legislature has from the time of the Reform Act of 1832 until the Ballot Act been to make it necessary to raise all questions as to rights to vote in the Registration Court (*r*), and to do this by preventing their being raised at any other time or in any other manner. . . . The 7th section of the Ballot Act, . . . as interpreted and explained in *Stowe* v. *Jolliffe*, reads thus: 'At an election a person shall not be entitled to vote unless his name is on the register, even although he ought to be on, and every person whose name is on the register shall be entitled to vote, even if it ought not to be on.'"

The presiding officer is in no way concerned with persons who are disqualified from voting either by the common law of Parliament or by statute. If these persons are on the register their votes must, if tendered, be accepted, though they will be struck off on petition. "Now, the obvious intention of the proviso at the end of sect. 7," said Lush, J., in *Worcester* (*s*), "is *not* in order that any objection of the kind mentioned in that proviso may be taken in the polling booth, but the legislature put in this proviso lest the enacting part should be held to restore or make absolute the qualification of a man who really has no qualification. . . . The battle of qualification shall

(*q*) Per Channell, J., in *Pembroke* (1901), 5 O. & H. at p. 144.

(*r*) Under the present Act the registration court is abolished, but the registration officer takes its place. See First Schedule, rules 20—26, pp. 347—349, and rule 39, p. 353, *infra*.

(*s*) (1880), 3 O. & H. at p. 186.

be fought either beforehand in the Registration Court, or after the election upon a scrutiny."

"When you say that the register is conclusive, as has often been said, what you mean is this — that it is conclusive that the people who are on it have the qualification which entitles them to be there. It may be that they are not to be entitled to vote by reason of the 7th section of the Ballot Act (*t*). . . . Until recent years there was no register, and the register was instituted, I think, for this purpose. There were ways of disputing who had a right to vote—cumbersome and expensive ways—and the register was instituted as a simple method of finding out, by means of the Revising Barrister (*u*), who should be put on the register. People could claim to be put on, and people could object to others being put on, and the claims and objections could be investigated by the Revising Barrister. But in my judgment the intention of the Legislature . . . was this: to compile a list, which, except in special circumstances which are provided for, should be conclusive as showing those people had passed a test as to whether they were to vote or not, and had been declared to have satisfied that test" (*x*).

From what has been said above, it is clear the general principle laid down in sect. 8 of this Act

(*t*) See p. 103, *supra*.

(*u*) Under the present Act the office of revising barrister is abolished, but his place is taken by the registration officer. See footnote (*r*) on preceding page.

(*x*) Per Darling, J., in *Pembroke* (1901), 5 O. & H. at pp. 137, 138.

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is that a person who is registered has a right to vote, although in certain cases his vote may be invalid. But the second part of sect. 8 (1) introduces a limitation on the number of votes which a man or woman, although registered as a parliamentary elector in several constituencies, may give. This limitation is as follows:—

A man shall not vote at a general election for more than one constituency for which he is registered by virtue of a residence qualification or for more than one constituency for which he is registered by virtue of other qualifications of whatever kind, and a woman shall not vote at a general election for more than one constituency for which she is registered by virtue of her own or her husband's local government qualification, or for more than one constituency for which she is registered by virtue of any other qualification.

There is nothing in this Act to prevent a man or woman being registered as a parliamentary elector in several different constituencies in respect of land or premises in those constituencies provided he or she is qualified for registration in respect of such land or premises. By the latter part of sect. 8 (1) just quoted, however, *a man* cannot, at a general election, have more than two votes notwithstanding that he is registered in more than two constituencies. He will have two votes if he is registered in one constituency by virtue of a residence qualification (*y*), and in another constituency by virtue either of a busi-

(*y*) See pp. 9—24, *supra*.

ness premises qualification (*z*) or of a university qualification (*a*), or as a freeman (*b*).

It should be noticed, however, that if he is registered in more than one constituency by virtue of qualifications other than a residence qualification he will only have one vote; *e.g.* a man may be registered in constituency X by virtue of a business premises qualification, and in the university constituencies Y and Z by virtue of a university qualification, yet he can only make use of one of these qualifications for the purpose of voting, as he would not come within the provisions of sect. 7 (2) relating to the double vote. As to the method by which it is secured that the provisions as to the limitation of votes shall be observed, see pp. 164—172, *infra*.

Similarly, *a woman* cannot, at a general election, have more than two votes, notwithstanding that she is registered in more than two constituencies. She will have two votes if she is registered in one constituency (other than a university constituency) by virtue of her own or her husband's qualification (*c*), and in another, a university constituency, by virtue of a university qualification (*d*).

A woman who is registered in more than one constituency (other than a university constituency) by virtue only of her own or her husband's qualification, will only have one vote, and the same

(*z*) See pp. 24—37, *supra*.
(*a*) See pp. 37—39, *supra*.
(*b*) See pp. 147, 148, *infra*.
(*c*) See pp. 67—72, *supra*.
(*d*) See pp. 72, 73, *supra*.

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applies to a woman registered in more than one university constituency by virtue of a university qualification. As to the way in which the limitation on the number of votes is safeguarded from infringement, see pp. 164—172, *infra*.

It should be noticed that both in the case of men and women, this limitation imposed by sect. 8 (1) on the number of votes they may give applies only to a general election. There is nothing to prevent a person registered in a constituency by virtue of any qualification from making use of his or her vote at a bye-election in the constituency, and also at a bye-election in any other constituency or constituencies in which he or she is registered by virtue of any qualification.

Sect. 8 (2) like sect. 8 (1) begins by stating the general principle that **a person registered as a local government elector for any local government electoral area shall while so registered (and in the case of a woman notwithstanding sex or marriage) be entitled to vote at a local government election for that area.** This principle is subject to the same qualifications as were noticed on pp. 102—108, *supra*, in the case of parliamentary electors, and what was there said applies equally here.

But similarly to sect. 8 (1), sect. 8 (2) introduces a limitation on the number of votes which a man or woman may give, by providing that **where, for the purposes of election, any such area is divided into more than one ward or electoral division, by whatever name called, a person shall not be entitled to vote for more than one such ward or electoral division.**

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The word **election** here means (*f*) an election (other than an election to fill a casual vacancy) for any county council, municipal borough council, metropolitan borough council, district council, board of guardians, parish council, or any other body elected by persons on the local government register or on the register of parochial electors. At any such election, therefore, a local government elector, whether man or woman, may give one vote only for one ward or electoral division, and no more.

Sect. 8 (2) further provides that :—

Notwithstanding anything in this provision a person may be registered for more than one such ward or division of a local government electoral area (not being a municipal borough), and may vote in any such ward or division for which he is registered at an election to fill a casual vacancy.

The words "election to fill a casual vacancy" mean in relation to local government elections what "bye-election" means in relation to parliamentary election.

If a person is registered in respect of more than one ward or division of a local government electoral area (not being a municipal borough), such person may at an election other than an election to fill a casual vacancy select the ward or division for which he wishes to vote.

As will have been noticed, a person cannot be registered in more than one ward of a municipal borough (*g*).

(*f*) See sect. 41 (2), pp. 305, 306, *infra*.

(*g*) See that part of sect. 8 (2) which is set out on preceding page.

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As regards Ireland, sect. 8 (2) must be read subject to the provisions of sect. 44 (14) (*h*).

(3) **A naval or military voter who is registered in respect of a qualification which he would have had but for his service shall be deemed for the purpose of this section to be registered by virtue of that qualification.**

As to "naval or military voter" and the qualification here referred to, see pp. 76—94, *supra*.

Provision as to disqualifications.

9.—(1) A person shall not be disqualified from being registered or from voting as a parliamentary or local government elector by reason that he or some person for whose maintenance he is responsible has received poor relief or other alms.[1]

(2) Any person, being a conscientious objector to whom this subsection applies,[2] shall be disqualified during the continuance of the war and a period of five years thereafter[3] from being registered or voting as a parliamentary or local government elector, unless, before the expiration of one year after the termination of the war, he proves to the central tribunal as established for the purposes of the Military Service Act, 1916[4]:

(a) that he has during the continuance of the war taken up and, so far as

[1] See pp. 116, 117, *infra*.
[2] See p. 117, *infra*.
[3] See pp. 117, 118, *infra*.
[4] See pp. 118, 119, *infra*.

(*h*) See p. 335, *infra*.

reasonably practicable, continued service which constitutes a person (other than a person serving on full pay as a member of any of the naval, military, or air forces of the Crown) a naval or military voter for the purposes of this Act[5]; or

(b) that having been exempted from military service on condition of doing work of national importance he has done such work in accordance with the decision and to the satisfaction of the appropriate tribunal or authority[6]; or

(c) that having obtained an absolute exemption from military service without any such condition, he has nevertheless (whether before or after the passing of this Act) been engaged in and, so far as reasonably practicable, continued some work of national importance;

and obtains a certificate from the central tribunal to that effect.[7]

This subsection shall apply to a conscientious objector who either—

(i) has been exempted from all military service (including non-combatant

[5] See pp. 119, 120, *infra*. [6] See p. 120, *infra*.
[7] See pp. 120, 121, *infra*.

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service) on the ground of conscientious objection[8]; or

(ii) having been convicted by court martial of an offence against military law, and having represented that the offence was the result of conscientious objection to military service, has been awarded imprisonment or detention.[9]

The central tribunal established under the Military Service Act, 1916, shall be continued for the purpose of this subsection for a period of a year after the termination of the present war.[10]

If a person disqualified under this subsection would have been entitled to be registered as a parliamentary or local government elector but for that disqualification, the disqualification shall not extend so as to affect the right of the wife of that person to be registered or vote as a parliamentary or local government elector, as the case may be.[11]

(3) A person shall not be entitled to be registered or to vote as a parliamentary or local government elector if he is not a British subject, and nothing contained in

[8] See p. 117, *infra*.
[9] See p. 117, *infra*.
[10] See p. 121, *infra*.
[11] See p. 121, *infra*.

this Act shall, except as expressly provided therein, confer on any person who is subject to any legal incapacity to be registered or to vote either as a parliamentary or local government elector any right to be so registered or to vote.[12]

(4) A person shall not be disqualified from voting at any election as a parliamentary or local government elector by reason that he is employed for payment by or on behalf of a candidate at such election, so long as the employment is legal.[13]

(5) Any incapacity of a peer to vote at an election arising from the status of a peer shall not extend to peeresses in their own right.[14]

NOTE.—This section re-enacts certain existing disqualifications, imposes a new disqualification, and also removes certain previously existing disqualifications from being registered, and from voting, as a parliamentary or local government elector.

The section falls under five heads. Sub-sect. (1) removes the existing disqualification arising from the receipt of poor relief or other alms in the case of parliamentary and local government

[12] See pp. 121, 122, *infra*. [13] See p. 122, *infra*.
[14] See pp. 122, 123, *infra*.

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electors (*h*). Sub-sect (2) disqualifies conscientious objectors for a certain period and subject to certain conditions (*i*). Sub-sect. (3) re-affirms the disqualification arising from legal incapacity (*k*). Sub-sect. (4) removes the existing disqualification from voting of election agents, or other persons legally employed for payment by or on behalf of candidates (*l*). Sub-sect. (5) declares that peeresses in their own right are not disqualified from voting (*m*).

As to sub-sect. (1).—**A person shall not be disqualified from being registered or from voting as a parliamentary or local government elector by reason that he or some person for whose maintenance he is responsible has received poor relief or other alms.**

As was pointed out above this sub-section removes the disqualification from being registered or from voting as a parliamentary or local government elector by reason of the receipt of poor relief or other alms, either by the elector or some other person for whose maintenance he is responsible. The only disqualification of this kind which exists under the present Act is that which arises in reference to the residence qualification by reason of sect. 41 (5), which provides that "a person who is an inmate or patient in any prison, lunatic asylum, workhouse, poorhouse, or any other similar institution shall not by reason

(*h*) See pp. 116, 117, *infra*.
(*i*) See pp. 119—121, *infra*.
(*k*) See pp. 121, 122, *infra*.
(*l*) See p. 122, *infra*.
(*m*) See pp. 122, 123, *infra*.

thereof be treated as resident therein for any purpose of this Act" (*n*). Sect. 9.

As to sub-section (2).—**Any person, being a conscientious objector to whom this subsection applies.**—In order to ascertain the meaning of these words it is necessary to consider the words in sub-section (2) beginning, **This subsection shall apply to a conscientious objector who either—**

(i) has been exempted from all military service (including non-combatant service) on the ground of conscientious objection;

The expression "a conscientious objector" cannot include a woman, as the Military Service Act, 1916, only applies to men. The exemption referred to in the sub-section is granted under that Act by the tribunals constituted thereunder.

or (ii) having been convicted by court-martial of an offence against military law and having represented that the offence was the result of conscientious objection to military service, has been awarded imprisonment or detention.

These words would include any man who, whether he has claimed exemption or not on the ground of conscientious objection, has been engaged in military service, and on being convicted by court-martial of an offence against military law, has represented that the offence was the result of conscientious objection, and has been awarded imprisonment or detention.

Sub-section (2) enacts that a conscientious objector coming within the above description

(*n*) See p. 15, *supra*.

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shall be disqualified during the continuance of the war and a period of five years thereafter from being registered or voting as a parliamentary or local government elector.

It is submitted that the effect of these words is to impose a legal incapacity to be registered or to vote as a parliamentary or local government elector on all persons coming within sect. 9 (2). As was pointed out above (*o*), the expression "legal incapacity" means "some inherent or for the time irremovable quality in" a person "which either by prohibition of statutes or at common law" deprives such person of the status of a parliamentary elector (*p*). It would seem clear that the disqualification imposed by sect. 9 (2) is of this nature. Moreover, if this subsection is not intended to impose a legal incapacity, the words "from voting" would be of no effect, since it is only where an elector is legally incapacitated that his vote can be struck off on a scrutiny, notwithstanding the fact that he is registered (*q*).

unless, before the expiration of one year after the termination of the war, he proves to the central tribunal as established for the purposes of the Military Service Act, 1916—

By international law war is terminated by the conclusion of a treaty of peace or by simple cessation of hostilities (*r*). In the absence of some special provision either in an Act of Parlia-

(*o*) See pp. 5, 104, 105, *supra*.
(*p*) *Stowe* v. *Jolliffe* (1874), L. R. 9 C. P. 750.
(*q*) See pp. 8, 103—108, *supra*.
(*r*) See "International Law," by W. E. Hall, 6th ed., p. 553.

ment or in the treaty of peace, it is submitted that the termination of the war would not be held to date from the commencement of an armistice.

the central tribunal established under the Military Service Act, 1916—

The central tribunal is the highest of the three tribunals established under the Military Service Act, 1916, and by sect. 2 (7) of that Act is constituted in accordance with the provisions of the Second Schedule to that Act. The present Act contains no provision as to the procedure to be adopted on an application to the central tribunal by any person who wishes to avail himself of the provisions of sect. 9 (2) (a), (b) and (c). By clause 5 of the Schedule to the Military Service Act, 1916, "His Majesty may by Order in Council make regulations with respect to the constitution, functions and procedure of the . . . central tribunal, and so far as provision is not made for procedure by those regulations, the procedure of the tribunal shall be such as may be determined by the tribunal." The application can be made at any time after the passing of the present Act and "before the expiration of one year after the termination of the war."

(a) **that he has during the continuance of the war taken up and so far as reasonably practicable continued service which constitutes a person (other than a person serving on full pay as a member of any of the naval, or military or air forces of the Crown) a naval or military voter for the purposes of this Act;**

It should be noticed that although the applica-

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tion to a central tribunal, referred to above, may be made at any time up to the expiration of one year after the end of the war, the service mentioned in sect. 9 (2) (a) must have been taken up during the continuance of the war.

See as to the "service which constitutes a person . . . a naval or military voter," pp. 79—85, *supra*.

(b) that having been exempted from military service on condition of doing work of national importance he has done such work in accordance with the decision and to the satisfaction of the appropriate tribunal or authority.

This condition applies to those conscientious objectors who have not obtained a certificate of absolute exemption but have obtained under sect. 2 (3) of the Military Service Act, 1916, a certificate "conditional on the applicant being engaged in some work which in the opinion of the tribunal dealing with the case is of national importance."

"The appropriate tribunal" here referred to is of course the particular tribunal which granted the conditional certificate, and the "authority" means the authority in whose employment the work was done. The "satisfaction" required under sect. 9 (2) (a) of the present Act is either that of the "tribunal" or of the "authority."

Sub-section (2) (c) of sect. 9, which deals with conscientious objectors who have been absolutely exempted, needs no comment.

and obtains a certificate from the central tribunal to that effect.

The applicant must not only prove to the central tribunal the necessary facts in (a), (b) or (c), but must also obtain a certificate from the tribunal to that effect. This will, of course, afford the necessary and conclusive proof to the registration officer that the applicant is not disqualified as a conscientious objector.

If a person disqualified under this subsection would have been entitled to be registered as a parliamentary or local government elector but for that disqualification, the disqualification shall not extend so as to affect the right of the wife of that person to be registered or vote as a parliamentary or local government elector as the case may be.

The effect of this provision is that when a woman would be entitled under sect. 4 (1) to be registered as a parliamentary elector, or under sect. 4 (3) (b) as a local government elector, by reason of the fact that her husband would, but that he is disqualified under sect. 9 (2), have the necessary qualification to be registered as a local government elector under sects. 4 (1) (c) or 4 (3) (b) respectively, she shall not lose her right to be registered or to vote in consequence of her husband being so disqualified.

As to sub-sect. (3) *of sect.* 9.—The words **if he is not a British subject** would appear to be surplusage, as aliens are subject to a legal incapacity to be registered or to vote as parliamentary or local government electors (*u*). It could not be

(*u*) See pp. 4, 5, *supra*.

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argued that these words impose an incapacity of a different kind to the one already attaching to aliens, and that the effect of the words **a person shall not be entitled . . . to vote as a parliamentary or local government elector** is to make it the duty of the returning officer to ascertain in the polling-booth whether the person seeking to vote is or is not a British subject, and in the latter case to refuse to allow him to vote. If this were the meaning of the words there would be a further question which the returning officer would be required to put to the voter in addition to those already authorised (*v*) to be asked. The effect of this incapacity, like that of the other legal incapacities (*x*), is that the vote of the person who is subject to it can be struck off on a scrutiny.

As to the remaining words of sub-section (3), see pp. 102—108, *supra.*

As to sub-section (4).—This removes the previously existing disqualification from voting as a parliamentary elector attaching to an election-agent, sub-agent, polling-agent, clerk or messenger employed for payment by a candidate at a parliamentary election (*y*).

As to sub-section (5).—This would appear to be merely declaratory, as the reasons for which it has been held that peers are legally incapable of exercising the parliamentary franchise do not

(*v*) See pp. 167—172, *infra.*
(*x*) See pp. 8, 104—108, *supra.*
(*y*) See pp. 224—226, *infra.*

apply to peeresses (*z*), whether in their own right or by marriage. There is, of course, nothing to prevent either peers or peeresses from voting at a local government election. Sect. 9.

10.—A person shall, in addition to and without prejudice to any other qualification, be qualified to be elected a member of the local government authority for any local government electoral area[1] if he is the owner of property held by freehold, copyhold, leasehold, or any other tenure[2] within the area of that authority. Provision as to qualifications of councillors.

NOTE.—The effect of this section is to enlarge the qualifications for membership of local government authorities. There is no limit of value in regard to the qualifying property, nor need the ownership have lasted for any particular period. The section also prevents the possible disqualification, by reason of the conditions of the local government or parliamentary franchise as laid down in the present Act, of any person from being elected a member of a local government authority, where such person would have been qualified for such election under the previously existing law; *e.g.*, by sect. 2 (b) of the Local Government Act, 1888, "a person shall be qualified to be an alderman or

[1] See p. 124, *infra*. [2] See p. 124, *infra*.

(*z*) See p. 67, *supra*.

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councillor who, though not qualified in manner provided by the Municipal Corporations Act, 1882, as applied by this Act (*i.e.*, Local Government Act, 1888) . . . is registered as a parliamentary voter in respect of the ownership of property of whatsoever tenure situate in the county." Since the ownership qualification for the parliamentary franchise is abolished by the present Act, the case might arise where a person who would have been qualified under the above-quoted provision would, in the absence of sect. 10, set out above, not be so qualified under the present Act.

the local government authority for any local government electoral area.

The words "local government authority" mean a county council, municipal borough council, metropolitan borough council, district council, board of guardians, parish council, or any other body elected at the time of the passing of this Act by persons on the local government register or on the register of parochial electors (*a*); and the expression "local government electoral area" means the area for which any of the bodies just mentioned is elected (*a*).

the owner of property held by freehold, copyhold, leasehold, or any other tenure.

The word "owner" is used here somewhat loosely, and not in the sense in which it is used in sect. 3 (*b*).

(*a*) See sect. 41 (2), pp. 305, 306, *infra*.
(*b*) See p. 46, *supra*.

Part II.

Registration.

[Sections 11—19.]

Spring and Autumn registers.

11.—(1) Two registers of electors shall be prepared in every year, of which one (in this Act referred to as the spring register) shall be made for the qualifying period ending on the fifteenth day of January,[1] and the other (in this Act referred to as the autumn register) shall be made for the qualifying period ending on the fifteenth day of July.[2]

(2) The spring register shall come into force on the commencement of the fifteenth day of April and remain in force until the fifteenth day of October,[3] and the autumn register shall come into force on the commencement of the fifteenth day of October and remain in force until the fifteenth day of April.[4]

(3) If for any reason the registration officer fails to compile a fresh spring or autumn register for his area or any part of

[1] See pp. 126, 127, *infra*.
[2] See pp. 126, 127, *infra*.
[3] See pp. 127, 128, *infra*.
[4] See pp. 127, 128, *infra*.

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his area, the register in force at the time when the fresh register should have come into force shall continue to operate as the register for the area or part of an area in respect of which default has been made.[5]

NOTE.—Sect. 11 deals with the registers of electors, which it defines, and also provides for the contingency of a failure to compile a fresh register.

As to sub-section (1).—This provides that there shall be two registers in every twelve months, viz. (a) the Spring register, on which are to be placed the names of the men and women who are entitled to be registered as parliamentary or local government electors by reason of their having fulfilled the conditions of the franchise during the qualifying period ending on January 15th, and (b) the Autumn register, on which are to be placed the names of the men and women who are entitled to be registered as parliamentary or local government electors by reason of their having fulfilled the conditions of the franchise during the qualifying period ending on July 15th.

It is submitted that the above is the meaning of sect. 11 (1). The words in that sub-section (. . . **the Spring register) shall be made for the qualifying period ending on the fifteenth day of January** and the corresponding words relating to the Autumn register can only mean that the Spring and Autumn registers respectively shall

[5] See pp. 128—130, *infra*.

contain the names of the persons entitled to be registered by reason of their having fulfilled the conditions of the franchise during the qualifying periods ending January 15th and July 15th respectively (*c*).

As to the conditions of the franchise, see sections 1, 3, 4, 5, *supra*. As to **the qualifying period**, see pp. 95—98, *supra*.

As to sub-section (2).—The Spring register is valid only from midnight, April 14th, until midnight, October 14th, and the Autumn register from midnight, October 14th, until midnight, April 14th. As was noted above, the Spring register contains the names of the persons who are entitled to be registered by reason of their having fulfilled the conditions of the franchise during the qualifying period ending on January 15th, and such persons accordingly only obtain the rights which registration confers (*d*) during the time when the Spring register is in force, viz. from April 15th to October 15th. Similarly, the Autumn register contains the names of the persons who are entitled to be registered by reason of their having fulfilled the conditions of the franchise during the qualifying period ending on July 15th, and accordingly such persons only obtain the rights which registration confers (*e*) during the time when the Autumn register is in force, viz. from October 15th to

(*c*) But as to the first register, see pp. 128, 129, *infra*.
(*d*) See pp. 102—108, *supra*.
(*e*) See pp. 102—108, *supra*.

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April 15th. In other words, for a person to enjoy the rights which registration confers (*j*) during the whole twelve months, the name of such person must appear on both registers.

As to sub-section (3).—The word **area** here means "registration area." By sect. 12 (1) (*k*) "each parliamentary borough and each parliamentary county shall be a registration area."

It should be noticed that by sect. 46 (2) it is provided that:—

"Notwithstanding anything in this Act, the first register to be prepared under this Act shall come into force on, and remain in force until, such date as His Majesty may fix by Order in Council, and His Majesty may by any such Order alter, in connection with the first register, any registration dates, including the dates governing the qualifying period, and direct that this Act shall have effect as so altered."

By rule 6 of the Order in Council dated June 4th, 1918 (*l*), which substituted other dates for the dates specified in Orders in Council dated March 4th, 1918 (*m*) and March 22nd, 1918 (*n*), "in connection with the first register to be prepared under the Act the registration dates and the dates governing the qualifying period shall, ... be the dates specified in the third column of the Fifth Schedule to this Order."

(*j*) See pp. 102—108, *supra*.
(*k*) See p. 130, *supra*.
(*l*) See p. 749, *infra*.
(*m*) See pp. 613—614, *infra*.
(*n*) See pp. 626—627, *infra*.

The Schedule is as follows:— Sect. 11.

REGISTRATION DATES.

Subject-matter.	Date specified in Act.	Substituted date.
End of qualifying period	15 Jan.—July	15 April
Publication of lists	1 Feb.—Aug.	29 June
Last day for objections to electors lists	15 Feb.—Aug.	10 July
Last day for claims	18 Feb.—Aug.	17 July
Last day for claims as absent voters	18 Feb.—Aug.	31 July
Date referred to in Rule 17 (see p. 345, *infra*)	18 Feb.—Aug.	17 Aug.
Publication of list of objections to electors lists	21 Feb.—Aug.	19 July
Publication of list of claimants	24 Feb.—Aug.	25 July
Last day for objections to claimants	7 Mar.—4 Sept.	31 July
Publication of list of objections to claimants (as soon as practicable after)	7 Mar.—4 Sept.	31 July
Publication and coming into force of register	15 April—Oct.	1 Oct."

Application to Ireland.

In its application to Ireland sect. 11 must be read subject to the following provisions of sect. 44 (11) (b) (*o*):—

"One register of electors only shall be made in each year, and all provisions applicable to the autumn register shall apply as respects the yearly register (except that the yearly register shall remain in force until the fifteenth day of October in the next following year), and the provisions as to the preparation of two registers in each year and as to the spring register shall not apply."

(*o*) See pp. 334, 335, *infra*.

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It should be noticed that in Ireland there is only one qualifying period in each year, being a period of six months ending on July 15th (*n*).

Registration officers and areas.

12.—(1) Each parliamentary borough and each parliamentary county shall be a registration area, and there shall be a registration officer for each registration area.

(2) Where the registration area is a parliamentary county and is coterminous with, or wholly contained in, one administrative county, the clerk of the county council, and where the registration area is a parliamentary borough and is coterminous with, or wholly contained in, one municipal borough, the town clerk of the borough shall be the registration officer for the area.

In any other case such clerk of the county council, or town clerk, shall be registration officer for the area as the Local Government Board may by Order direct, subject to any conditions which may be made by the Order as to the appointment of deputies for any part of the area.

(3) Any of the duties and powers of the registration officer may be performed and exercised by any deputy for the time being approved by the Local Government Board,

(*n*) See sect. 44 (11) (a), p. 334, *infra*.

and the provisions of this Act shall apply to any such deputy so far as respects any duties or powers to be performed or exercised by him as it applies to the registration officer.

(4) In the event of any vacancy in the office of any clerk of the county council or town clerk who is a registration officer, or in the event of his incapacity to act, any acts authorised or required to be done by or with respect to the registration officer may be done by or with respect to any person temporarily appointed in that behalf by the chairman of the county council or the mayor as the case may be.

NOTE.—**Each parliamentary borough and each parliamentary county.** A list of these in England and Wales is given in the Ninth Schedule to this Act. See pp. 404—467, 482—543, *infra*.

Any of the duties and powers of the registration officer.—As to what these are, see sect. 13, pp. 133—134, *infra*, and First Schedule, pp. 339—357, *infra*.

Application to Scotland.

This section does not apply to Scotland, but by section 43, sub-section (8), the provisions of that sub-section are substituted for those of section 12. The provisions of section 43, sub-section (8), will be found set out on pp. 317—319, *infra*.

Sect. 12. Application to Ireland.

In its application to Ireland sect. 12 of the Act is, by reason of the provisions of sect. 44, sub-sect. (2) (*p*) and part of sub-sect. (3) (*q*), to be read subject to the following modifications:—

"(2) The reference (in sect. 12 (3)) to the Local Government Board in relation to the approval of a deputy for the execution of any of the powers and duties of a registration officer shall be construed as a reference to the Lord Lieutenant, and other references to that Board shall be construed as references to the Local Govetnment Board for Ireland:

"(3)—(a) The clerk of the crown and peace for an administrative county, not being a county borough, shall be the registration officer for any parliamentary county which is coterminous with, or the whole or greater part of which is contained in, the administrative county and no part is contained in a county borough, and the clerk of the crown and peace for a county borough shall be the registration officer for any parliamentary borough which is coterminous with, or the whole or any part of which is contained in, the county borough (*r*) . . . ."

Moreover, sect. 44 (3) (c) (*s*) is substituted for sub-sect. (4) of sect. 12.

(*p*) See p. 327, *infra*.

(*q*) See pp. 327, 328, *infra*.

(*r*) For the proviso in this sub-section relating to Dublin and Belfast, see p. 144, *infra*.

(*s*) See pp. 329, 330, *infra*.

Sect. 13. Registration duties.

13.—(1) It shall be the duty of the registration officer to compile the spring and autumn register, and to place, or cause to be placed, on the register in accordance with the rules set out in the First Schedule to this Act the names of those entitled to vote as parliamentary electors or local government electors in his registration area, and to comply with any general or special directions which may be given by the Local Government Board with respect to the arrangements to be made by the registration officer for carrying out his duties as to registration.

If a registration officer refuses, neglects or fails without reasonable cause to perform any of his duties in connection with registration, he shall be liable on summary conviction to a fine not exceeding one hundred pounds.

(2) His Majesty may by Order in Council prescribe the forms to be used for registration purposes and any fees to be taken in connection therewith, and alter the rules contained in the First Schedule to this Act for the purpose of carrying this Act into full effect, or for carrying into effect any Act for the time being in force amending or affecting this Act.

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The rules contained in the First Schedule to this Act and any Order so made shall have effect as if enacted in this Act.

NOTE.—This section imposes upon the registration officer the duty of ascertaining what persons in the area for which he is registration officer are entitled to be placed on the register as parliamentary and as local government electors and to place such names or cause them to be placed on the register.

the rules set out in the First Schedule to this Act.—For these rules, see pp. 339—357, *infra*.

and to comply with any general or special directions which may be given by the Local Government Board.—These directions are set out in Appendix I. See p. 555, *infra*.

shall be liable on summary conviction to a fine not exceeding one hundred pounds.—If a registration officer refuses, neglects or fails without reasonable cause to perform any of his duties in connection with registration, such refusal, neglect or failure does not constitute an indictable offence, but is punishable upon summary conviction and renders the registration officer liable to be prosecuted under the Summary Jurisdiction Acts.

The Order in Council prescribing forms referred to in sub-section (2) above is set out at pp. 555—578, *infra*, and that prescribing fees at pp. 747—753, *infra* (see particularly rule 2, p. 748, and Second Schedule, p. 751).

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Appeals.

14.—(1) An appeal shall lie to the county court, as defined by rules of court, from any decision of the registration officer on any claim or objection which has been considered by him under this Act, or the placing of or refusal to place any mark against any name on the register, and rules of court shall be made for the purpose of determining the procedure on any such appeals and for applying and adapting thereto any enactments relating to county courts and the procedure therein :

Provided that an appeal shall not lie where a claimant or objector has not availed himself of his opportunity, as provided in the First Schedule to this Act, of being heard by the registration officer on the claim or objection, or as to the placing of or refusing to place any such mark as aforesaid.

(2) An appeal shall lie on any point of law from any decision of the county court on any such appeal from the registration officer in accordance with rules of the Supreme Court to the Court of Appeal, but no appeal shall lie from the decision of the Court of Appeal.

(3) The right of voting of any person whose name is for the time being on the register shall not be prejudiced by any

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appeal pending under this section, and any vote given in pursuance of that right shall be as good as if no such appeal were pending, and shall not be affected by the subsequent decision of the appeal.

(4) Notice shall be sent to the registration officer in manner provided by rules of court of the decision of the county court or of the Court of Appeal on any appeal under this section, and the registration officer shall make such alterations in the electors lists or register as may be required to give effect to the decision.

(5) On any appeal under this section the registration officer shall be deemed to be a party to the proceedings.

(6) If the Lord Chancellor is satisfied on the representation of the judge of any county court that the judge is unable, owing to the necessity of dealing with appeals under this Act, to transact the business of the court with proper despatch, the Lord Chancellor may appoint a barrister of at least seven years' standing to act as assistant judge for such time as the Lord Chancellor may direct, and subject to any conditions which he may impose.

Any assistant judge so appointed shall have all the powers and privileges and may perform any of the duties of the judge,

whether under this Act or otherwise, to whom he has been appointed assistant. Sect. 14.

An assistant judge shall be paid out of moneys provided by Parliament such remuneration and travelling allowances as may be allowed by the Treasury.

In the application of this provision to a county court district the whole of which is within the Duchy of Lancaster, the Chancellor of the Duchy shall be substituted for the Lord Chancellor.

NOTE.—**An appeal.**—Anyone who is entitled to make and has made a claim or objection can appeal to the county court from the decision of the registration officer, whether such decision be on a question of fact or a point of law, as to which see below.

For the **rules of court** referred to in sub-sections (1), (2) and (4), see pp. 638—671, *infra.*

on any claim or objection.—See pp. 342—345, and Rule 25, pp. 348, 349, *infra.*

any mark against any name on the register.—See Rule 2, p. 340, *infra*, and pp. 342—345, 577, *infra.*

where a claimant or objector has not availed himself of his opportunity, as provided in the First Schedule to this Act, of being heard by the registration officer.—See Rules 20, 21, p. 347, and Rule 39, p. 353, *infra.*

An appeal shall lie on any point of law from any decision of the county court.—It will be noticed that an appeal from the decision of the

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county court will only lie on a point of law. Where it is clear that the findings of fact by the registration officer are dependent on an erroneous view of the law (*r*), or where there is no evidence to support such findings, an appeal will lie (*s*).

Application to Scotland.

In Scotland the reference to the county court in the above section shall be construed as a reference to the sheriff court, and reference to the Supreme Court shall be construed as a reference to the Court of Session, and a reference to the Court of Appeal shall be construed as a reference to the Court of three judges of the Court of Session constituted by sect. 23 of the Representation of the People (Scotland) Act, 1868 (*t*). Moreover, sect. 43 (9) (*u*) of the present Act enacts that "the provisions regarding the appointment of an assistant judge (in sect. 14 above) shall not apply" to Scotland.

Application to Ireland.

In its application to Ireland sect. 14 is subject to the provisions of sect. 44 (5) (*x*), which are as follows:—

"For the purposes of appeals from the registration officer, . . . the powers and jurisdiction of the county court shall, unless and until the Lord Lieutenant otherwise direct, be exer-

(*r*) *Cawley* v. *Furnell* (1851), 12 C. B. 291; *Cuthbertson* v. *Parsons* (1852), 12 C. B. 304.

(*s*) *G. N. R. Co.* v. *Rimel* (1856), 18 C. B. 575; *British Industry Life Ass. Co.* v. *Ward* (1856), 17 C. B. 644.

(*t*) See sect. 43 (1), (h), (f) and (g) of the present Act, pp. 309, 310, *infra*.

(*u*) See p. 319, *infra*.

(*x*) See p. 331, *infra*.

cised, as respects the parliamentary borough of Dublin, by the persons who are at the time of the passing of this Act Dublin revising barristers, and as respects the parliamentary county of Dublin by the person who is at the time of the passing of this Act revising barrister for that county; but while those powers are so exercised, the provisions of this Act as to county courts shall apply to those persons as they apply to county courts, with the necessary modifications, and in particular with the modification that assistant judges may be appointed to assist those persons if in the opinion of the Lord Chancellor such appointment is necessary in order to enable the appeals to be disposed of with proper dispatch." Sect. 14

Expenses of registration.

15.—(1) Any expenses properly incurred by a registration officer in the performance of his duties in relation to registration, including all proper and reasonable charges for trouble, care and attention in the performance of those duties, and any costs incurred by him as party to an appeal (in this Act referred to as "registration expenses") shall be paid by the council whose clerk the registration officer is, or by whom he is appointed, subject, in cases where the registration area is not coterminous with or wholly contained in the area of that council, to such contributions by the council of any other county or borough as the Local Government Board may direct.

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Any such expenses shall be paid in the case of the council of a county out of the county fund, and if the case requires as expenses for special county purposes, and in the case of a council of a borough out of the borough fund or borough rate, or, where there is no borough fund or borough rate, out of the fund or rate out of which the ordinary expenses of the council of the borough are paid.

(2) The Treasury may frame a scale of registration expenses applicable to all or any class or classes of those expenses, and may alter the scale as and when they think fit.

Any expenses incurred by the registration officer of a class to which the scale is applicable shall be taken to be properly incurred if they do not exceed the maximum amount determined by or in accordance with the scale, and so far as they do exceed that amount shall be taken not to have been properly incurred unless the excess is specially sanctioned by the council and the Treasury either before or after the expenses have been incurred.

If any question arises whether any expenses incurred by the registration officer of a class to which the scale is not applicable have been properly incurred or not, that question shall be referred to the Local

Government Board, and the decision of the Board on the question shall be final. Sect 15

(3) Any fees or other sum received by the registration officer in respect of his duties as such officer, other than sums paid to that officer in respect of his registration expenses, shall be accounted for by that officer and paid to the credit of the fund or rate out of which the expenses of that officer are paid.

(4) There shall be paid out of moneys provided by Parliament to the council of any county or borough in aid of the fund or rate out of which any registration expenses are paid by the council, in accordance with this Act, one half of the amount so paid by the council.

(5) On the request of the registration officer of any registration area for an advance on account of registration expenses, the council whose clerk the registration officer is may, if they think fit, make such an advance to him of such amount and subject to such conditions as the council may approve.

in the performance of his duties.—As to what are the duties of the registration officer, see sect. 13, pp. 133—134, *supra*, and First Schedule, pp. 339—357, *infra*.

as party to an appeal.—See sect. 14, pp. 135—137, and 137—138, *supra*.

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registration area.—See sect. 12 (1), p. 130, *supra*.

For the **scale of registration expenses** mentioned in sub-section (2), see pp. 610—612, *infra*.

As to the words in sub-section (3) above, **any fees or other sum received by the registration officer in respect of his duties as such officer, other than sums paid to that officer in respect of his registration expenses**, the fees here referred to are those mentioned in Rules 28 and 33 of the Registration Rules (*y*), and Rule 8 of the Third Schedule (*z*). For the amount of such fees, see Order in Council, June 4th, 1918, rule 2, p. 748, and Second Schedule, p. 751, *infra*.

Application to Scotland.

The first sub-section of sect. 15 does not apply to Scotland, and in lieu thereof the provisions of sect. 43 (11) (*a*) are applicable. These provisions are as follows:—

"Any expenses properly incurred by any registration officer in the performance of his duties in relation to registration, including all proper and reasonable charges for trouble, care, and attention in the performance of those duties and any cost incurred by him as party to an appeal (in this Act referred to as 'registration expenses'), shall be paid by the council appointing the registration officer. Provided that, where a burgh within the meaning of the Local Government (Scotland) Act, 1889, is not a separate registration area, the council thereof shall pay to the council appointing the registration officer a contribution towards the registration expenses, and

(*y*) See pp. 350, 351, *infra*.
(*z*) See p. 360, *infra*.
(*a*) See pp. 319, 320, *infra*.

sub-section (4) of section sixty and section sixty-six of that Act shall apply, with the necessary modifications, to such contribution. The amount necessary to defray any registration expenses or any contribution thereto, as the case may be shall be assessed and levied in any one of the modes allowed by the Valuation Acts with respect to the costs and expenses of making up the valuation roll." Sect. 15.

In its application to Ireland, sect. 15 is subject to the modifications enacted by sect. 44 (3) (a) (b) (*b*) of the Act. Sect. 44 (3) (a) (b) is as follows:— Application to Ireland.

"(a) The clerk of the crown and peace for an administrative county, not being a county borough, shall be the registration officer for any parliamentary county which is coterminous with, or the whole or greater part of which is contained in, the administrative county, and for any parliamentary borough of which the whole or greater part is contained in the administrative county and no part is contained in a county borough, and the clerk of the crown and peace for a county borough shall be the registration officer for any parliamentary borough which is coterminous with, or the whole or any part of which is contained in, the county borough, and the council of that administrative county or county borough, as the case may be, shall be the council by which the registration expenses of that registration officer are to be paid, subject in cases where the parlia-

(*b*) See pp. 327—329, *infra*.

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mentary county or parliamentary borough is not coterminous with, or wholly contained in, the administrative county or county borough, as the case may be, to such contribution by the council of any other administrative county or county borough as the Local Government Board may direct: Provided that the registration expenses to be paid by a council shall not include any charges for trouble, care, and attention, in the performance of duties which are performed by the registration officer in person: Provided also that the persons who, at the passing of this Act, are town clerks for the county borough of Dublin and the county borough of Belfast, respectively, shall, so long as they hold their respective offices, be the registration officers for the parliamentary borough of Dublin and the parliamentary borough of Belfast, respectively, and that the last preceding proviso shall not apply in their case.

"(b) The registration expenses shall be paid in the case of the council of a county borough, out of the rate or fund out of which the general expenses of the council are paid, or out of any other rate or fund which the Local Government Board may on the application of the council approve, and, in the case of a council of any other administrative county, out of the poor rate as a county at large charge, except in cases to which section twelve of the Parliamentary Registration (Ireland) Act, 1885, applies."

It will be noticed that the proviso in the above sub-section introduces a material difference in the

meaning of the words "expenses properly incurred by the registration officer" as compared with the meaning of these words in sect. 15 (1).

"Local Government Board" throughout the sub-section just quoted means the Local Government Board for Ireland (*c*).

As to the words "except in cases to which section twelve of the Parliamentary Registration (Ireland) Act, 1885, applies," that section enacts that the commissioners of the townships of Pembroke and Blackrock shall make certain contributions to the treasurer of the Corporation of Dublin in respect of the registration expenses incurred by the Corporation.

The provisions of sect. 44 (6), set out on pp. 331, 332, *infra*, should also be noticed.

Special provisions with respect to urban districts and London.

16.—(1) Where an urban district is coterminous with a registration area which is a parliamentary borough or is wholly contained in such area, this Part of this Act shall apply to that district as it applies to a municipal borough, with the substitution of the clerk of the urban district council for the town clerk, of the urban district council for the council of the borough, of the general district rate for the borough fund or borough rate, and of the chairman of the council for the mayor.

(2) Any reference to a municipal borough

(*c*) See sect. 44 (2), p. 327, *infra*.

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in this Part of this Act shall include a reference to a metropolitan borough and the City of London, with the substitution, as respects a metropolitan borough, of the clerk of the metropolitan borough council for the town clerk, and of the metropolitan borough council for the council of the municipal borough, and as respects the City of London, of the Secondary for the town clerk and of the common council for the council of the municipal borough.

Any registration expenses of a metropolitan borough council shall be paid as general expenses of the council, and any expenses of the common council shall be paid out of the general rate.

NOTE.—**registration area.**—This is defined in sect. 12 (1), p. 130, *supra*.

The effect of sub-section (1) above is as follows:—The registration officer for the registration area contemplated by such sub-section is the clerk of the urban district council (*d*).

The registration expenses of the registration officer shall be paid by the urban district council out of the general district rate (*e*).

In the event of any vacancy in the office of any clerk of the urban district council who is registration officer, or in the event of his inca-

(*d*) See sect. 12 (2), p. 130, *supra*.
(*e*) See sect. 15 (1), pp. 139, 140, *supra*.

pacity to act, any acts authorised or required to be done by or with respect to the registration officer may be done by or with respect to any person temporarily appointed in that behalf by the chairman of the council (*f*).

Sect. 16 (1) does not apply to Ireland (*g*).

As to sub-section (2), see sect. 12 (2), p. 130, *supra*.

Special provision as to registration of freemen, &c.

17.—(1) A freeman of the City of London, being a liveryman of one of the several companies who is entitled to be registered as a parliamentary elector in respect of a business premises qualification within the city, shall be entitled, if he thinks fit, to be entered in a separate list of liverymen in the register of parliamentary electors, and to record his vote for Parliament as a liveryman.

(2) The foregoing provision shall apply to the freemen of any borough if the council of the borough so resolve, and the expression "freemen" shall include any persons by whatever name called enjoying in that borough rights similar to those enjoyed by freemen of the city of London in that city.

NOTE.—It will be observed that the right of a freeman of the City of London to be registered and to vote is limited to such freemen as are

(*f*) See sect. 12 (4), p. 131, *supra*.

(*g*) See sect. 44 (10), pp. 333, 334, *infra*.

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liverymen of one of the several companies and are entitled to be registered as parliamentary electors in respect of a business premises qualification (*g*) within the City.

It is evident, therefore, that no freeman who is not entitled to be registered as a parliamentary elector in respect of a business premises qualification within the City is entitled to be registered or vote as a liveryman. The same observation is applicable to freemen of any borough under sect. 17 (2).

The right to vote as a freeman is alternative to that of voting in respect of a business premises qualification.

Compensation to existing officers.

18. Every person who is an assistant overseer at the time of the passing of this Act, and who suffers any direct pecuniary loss in consequence of this Act, shall be entitled to have compensation paid to him as registration expenses by the council responsible for the payment of registration expenses, and in determining such compensation—

(a) regard shall be had to the conditions and other circumstances required by sub-section (1) of section one hundred and twenty of the Local Government Act, 1888, in regard to cases of compensation under that section; and

51 & 52 Vict. c. 41.

(*g*) See pp. 24—37, *supra*.

(b) the compensation shall not exceed the limit therein mentioned; and

(c) the expression in sub-section (1) of that section "The Acts and rules relating to Her Majesty's Civil Service" shall mean the Acts and rules relating to His Majesty's Civil Service which were in operation at the date of the passing of the Local Government Act, 1888; and

(d) the provisions of sub-sections (2) to (7) of the same section shall apply with such modifications (including the substitution of the "Local Government Board" for the "Treasury") as may be required, and including in sub-section (2) the substitution of the words "next before the thirtieth day of September, nineteen hundred and fourteen" for the words "next before the passing of this Act."

In this section the expression "assistant overseer" includes any person executing any of the duties of overseer, and receiving payment therefor.

NOTE.—**direct pecuniary loss.**—In interpreting these words, in view of the later language of this section, regard must be had to the conditions and other circumstances required by **sub-**

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section (1) of sect. 120 of the Local Government Act, 1888. Sub-section (1) of sect. 120 of the last-mentioned Act, together with **sub-sections (2) to (7)** of sect. 120, which are referred to in sect. 18 of the present Act in connection with the compensation payable under this section, are as follows:—

"(1) Every existing officer declared by this Act to be entitled to compensation, and every other existing officer, whether before mentioned in this Act or not, who by virtue of this Act, or anything done in pursuance of or in consequence of this Act, suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary, shall be entitled to have compensation paid to him for such pecuniary loss by the county council, to whom the powers of the authority, whose officer he was, are transferred under this Act, regard being had to the conditions on which his appointment was made, to the nature of his office or employment, to the duration of his service, to any additional emoluments which he acquires by virtue of this Act or of anything done in pursuance of or in consequence of this Act, and to the emoluments which he might have acquired if he had not refused to accept any office offered by any council or other body acting under this Act, and to all the other circumstances of the case, and the compensation shall not exceed the amount which, under the Acts and rules relating to Her Majesty's Civil Service (*h*), is paid to a person on abolition of office.

(*h*) See p. 153, *infra*.

"(2) Every person who is entitled to compensation, as above mentioned, shall deliver to the county council a claim under his hand setting forth the whole amount received and expended by him or his predecessors in office, in every year during the period of five years next before the passing of this Act, on account of the emoluments for which he claims compensation, distinguishing the offices in respect of which the same have been received, and accompanied by a statutory declaration under the Statutory Declaration Act, 1835, that the same is a true statement according to the best of his knowledge, information, and belief. Sect. 18.

"(3) Such statement shall be submitted to the county council, who shall forthwith take the same into consideration, and assess the just amount of compensation (if any), and shall forthwith inform the claimant of their decision.

"(4) If a claimant is aggrieved by the refusal of the county council to grant any compensation, or by the amount of the compensation assessed, or if not less than one-third of the members of such council subscribe a protest against the amount of the compensation as being excessive, the claimant or any subscriber to such protest (as the case may be) may, within three months after the decision of the council, appeal to the Treasury, who shall consider the case and determine whenever any compensation, and, if so, what amount ought to be granted to the claimant, and such determination shall be final.

"(5) Any claimant under this section, if so

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required by any member of the county council, shall attend at a meeting of the council and answer upon oath, which any justice present may administer, all questions asked by any member of the council touching the matters set forth in his claim, and shall further produce all books, papers, and documents in his possession or under his control relating to such claim.

"(6) The sum payable as compensation to any person in pursuance of this section shall commence to be payable at the date fixed by the council on granting compensation, or, in case of appeal, by the Treasury, and shall be a specialty debt due to him from the county council, and may be enforced accordingly in like manner as if the council had entered into a bond to pay the same.

"(7) If a person receiving compensation in pursuance of this section is appointed to any office under the same or any other county council, or by virtue of this Act, or anything done in pursuance of or in consequence of this Act, receives any increase of emoluments of the office held by him, he shall not, while receiving the emoluments of that office, receive any greater amount of his compensation, if any, than, with the emoluments of the said office, is equal to the emoluments for which compensation was granted to him, and if the emoluments of the office he holds are equal to or greater than the emoluments for which compensation was granted, his compensation shall be suspended while he holds such office."

The words in sub-sect. (1) of sect. 120 set out above, "the Acts and rules relating to Her

Majesty's Civil Service," are, by sect. 18 (c) of the present Act, to be read as **the Acts and rules relating to His Majesty's Civil Service which were in operation at the date of the passing of the Local Government Act, 1888.** These Acts are the Superannuation Act, 1859, and the Superannuation Act, 1884. Sect. 18.

rules relating to His Majesty's Civil Service.—It would seem that these words must refer to the practice of the Treasury (*i*) in awarding compensation in cases of abolition of office, as there is no express power given by any statute for the making of such rules (*i*).

The words, "next before the passing of this Act," in sub-sect. (2) of sect. 120 of the Local Government Act, 1888, set out above are, by sect. 18 (d) of the present Act, to be read as "next before the 30th day of September, 1914," and the word "Treasury," which occurs in sub-sects. (4) and (6) of sect. 120, set out above, is to be read as "Local Government Board."

As to the meaning of the expression "assistant overseer" in Ireland, see sect. 44 (7) (*j*).

19. The foregoing provisions of this Part (*k*) of this Act shall not apply to university constituencies, but the governing body of every university forming, or forming part of, a university constituency shall cause a register Register for university constituencies.

(*i*) As to this practice, and the principles governing the grant of compensation, see Encyclopædia of Local Government Law, edited by Joshua Scholefield, vol. II., pp. 304—308, Butterworth & Co., 1906.

(*j*) See p. 332, *infra*.

(*k*) *I.e.*, Part II., ss. 11—19.

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to be kept in such form and made up, if desired, to such dates as they may direct, of persons entitled to vote in respect of a qualification at their university, and shall make the register available for the purpose of university elections for the constituency, and shall on the application of any person allow that person at all reasonable times to inspect and take extracts from the said register :

Provided that the governing body may direct that a person who before the passing of this Act has received a degree, but was not entitled to vote in respect thereof, shall have no right to be registered unless he makes a claim for the purpose.

The governing body of any such university may charge such fee as they think fit, not exceeding one pound, in respect of registration to any person who receives a degree at their university after the passing of this Act, or who has received a degree before the passing of this Act but was not entitled to vote in respect thereof.

NOTE.—**University constituencies.**—A list of university constituencies in Great Britain is given in the Ninth Schedule, Part III. See p. 554, *infra*.

persons entitled to vote in respect of a qualification at their university. — See pp. 37—40, 73—75, *supra*.

As to the last paragraph in the above section,

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it may be pointed out that no power is given to the governing body of a university which does not admit women to degrees, *i.e.* Oxford or Cambridge, to charge any fee to women who have passed the final examination and kept the necessary residence and who thereby qualify for the franchise at such university (*k*).

The last paragraph of this section does not apply to Scotland, but by sect. 43 (15) special provisions are substituted for it (*l*).

Part III.

Method and Costs of Elections.

[Sections 20—36.]

Proportional representation in certain university constituencies, and certain other constituencies if scheme for selection is approved.

20.—(1) At a contested election for a university constituency,[1] where there are two or more members to be elected, any election of the full number of members shall be according to the principle of proportional representation,[2] each elector having one transferable vote[2] as defined by this Act.

(2)—(a) His Majesty may appoint Commissioners to prepare as soon as may be after the passing of this Act a scheme under which as nearly as possible one hundred members shall be elected to the House of Commons

[1] See p. 157, *infra*. [2] See pp. 158—160, *infra*.

(*k*) See sect. 4 (2), p. 64, *supra*.
(*l*) See pp. 322, 323, *infra*.

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at a general election on the principle of proportional representation for constituencies in Great Britain returning three or more members.

(b) The number of members of the House of Commons as fixed under this Act shall not be increased by any such scheme. For the purpose of such scheme the Commissioners shall (after holding such local inquiries as they may deem necessary) combine into single constituencies, returning not less than three nor more than seven members, such of the areas fixed as constituencies in the Ninth Schedule to this Act as they may select, but in selecting those areas they shall have regard to the advisability of applying the principle of proportional representation[2] both to town and country.

(c) The scheme so prepared by the Commissioners shall be laid before both Houses of Parliament, and if both Houses by resolution adopt the scheme, the scheme shall, with any modifications or additions which may be agreed to by both Houses, take effect as if it were enacted in this Act, and the constituencies fixed under the scheme shall be substituted, so far as necessary, for the constituencies fixed under the Ninth Schedule to this Act.

[2] See pp. 158—160, *infra*.

(d) In any such constituency any contested election of the full number of members shall be according to the principle of proportional representation,[2] each elector having one transferable vote[2] as defined by this Act. Sect. 20.

(e) His Majesty may by Order in Council make any adaptation of the provisions of this Act as to the machinery of registration or election which may appear to him to be necessary in consequence of the adoption of the scheme.

(3) His Majesty may by Order in Council frame regulations prescribing the method of voting, and transferring and counting votes, at any election, according to the principle of the transferable vote[2] and for adapting the provisions of the Ballot Act, 1872, and any other Act relating to parliamentary elections thereto, and with respect to the duties of returning officers in connection therewith; and any such regulations shall have effect as if they were enacted in this Act. 35 & 36 Vict. c. 33.

(4) Nothing contained in this Act shall, except as expressly provided therein, affect the method of conducting parliamentary elections in force at the time of the passing of this Act.

NOTE.—*As to sub-section* (1)—**university con-**

[2] See pp. 158—160, *infra*.

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stituency.—A list of university constituencies, together with the number of members returned by each, is given in the Ninth Schedule, Part III., p. 554, *infra*.

the principle of proportional representation.—The object of proportional representation is to effect the representation of parties in proportion to their strength at the polls and to secure the adequate representation of minorities. Of the many existing systems devised to achieve this result that known as the **transferable vote** has been adopted in the present Act.

The "transferable vote" is defined by sect. 41 (6) as "a vote (a) capable of being given so as to indicate the voter's preference for the candidates in order; and (b) capable of being transferred to the next choice when the vote is not required to give a prior choice the necessary quota of votes, or when, owing to the deficiency in the number of the votes given for a prior choice, that choice is eliminated from the list of candidates."

The transferable vote system is shortly explained in the Report of the Royal Commission on Systems of Election (published in 1910) as follows:—

"Constituencies return several members.

"The elector votes by placing the figure 1 opposite the name of the candidate he likes best, and is invited to place the number 2 opposite the name of his second choice, the number 3 opposite his third choice, and so on, numbering as many candidates as he pleases.

"The Returning Officer ascertains the result of the election as follows:—

"(1) He counts each ballot paper as one vote to the candidate marked 1 thereon; he also counts the total number of votes.

"(2) He ascertains the quota. The quota is the smallest number which will ensure the return of a candidate, whatever combination be made of the other votes given in the election. This figure will be obtained by dividing the votes cast by the number of seats to be filled plus one, and adding one to the result." For example, in a constituency with 100 electors returning two members the quota will be $\frac{100}{2+1}+1=34$, a number which can only be obtained by two candidates.

"(3) He declares elected the candidates who have received the quota.

"(4) He transfers in strict proportions the surplus votes of those candidates who have received more than the quota, and credits them to the unelected candidates indicated by the figures 2, 3, and so on, as the next preferences of the electors whose votes are transferred.

"(5) He declares elected those candidates who, after the transfer of surplus votes, have obtained the quota.

"(6) He eliminates the candidates lowest on the poll one after another by transferring their votes in accordance with the wishes

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of their supporters to the candidates indicated as next preferences. This process is continued until the required number of candidates, having each obtained the quota, have been declared elected, or the number of candidates not eliminated is reduced to the number of seats still vacant, in which event the candidates not eliminated are declared elected."

On pp. 718—736, *infra*, will be found the "Draft Rules prescribing the method of voting and transferring and counting Votes at any election according to the principle of the Single Transferable Vote." These Draft Rules were presented to Parliament in 1917 whilst the provisions of the present Act were under discussion in the House of Commons, and although they have no statutory force, they explain in detail the working of the system of the transferable vote.

The Draft Rules were intended to apply only to constituencies other than university constituencies, so that in considering them in relation to sub-section (1) they will require modification. It is nevertheless thought that they may be usefully referred to as explaining the application of the system of the transferable vote.

As to sub-section (2).—The scheme mentioned in sub-section (2) (a), (b) and (c), was in accordance with the provisions of sub-section (2) (c) laid before Parliament, but was, on May 13th, 1918, rejected by the House of Commons. With the

exception, therefore, of contested elections for university constituencies, no elections will be held according to the principle of proportional representation.

As to sub-section (3).—The Order in Council there referred to has not, at the time of going to press, been made.

Polls to be held on one day at a general election, &c.

21.—(1) At a general election all polls shall be held on one day, and the day fixed for receiving nominations shall be the same in all constituencies, and accordingly the First Schedule to the Ballot Act, 1872, shall be modified as shown in Part I. of the Second Schedule to this Act.

In the case of a bye-election, the poll shall take place on such day as the returning officer may appoint, not being less than four or more than eight clear days after the day fixed for nomination, and the First Schedule to the Ballot Act, 1872, shall be modified accordingly.

(2) Official telegraphic information of the writ having been issued for a parliamentary election may be given in such cases and by such persons as may be directed by His Majesty in Council, and any steps for holding an election which may be taken on or after the receipt of the writ may be taken

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on or after the receipt of an official telegraphic intimation of the writ having been issued.

(3) The time appointed for the meeting of the Parliament may be any time not less than twenty clear days after the proclamation summoning the Parliament; and the Meeting of Parliament Act, 1852, is hereby repealed.

15 & 16 Vict c. 23.

(4) Nothing in this section shall—

(a) affect the provisions of section one of the Ballot Act, 1872, relating to the commencement afresh of the proceedings with relation to the election on the death of a candidate, or apply to proceedings so commenced afresh; or

(b) apply to a university election.

NOTE.—**the day fixed for receiving nominations.**—As to this, see pp. 179, 180, *infra*.

the First Schedule to the Ballot Act, 1872, shall be modified as shown in Part I. of the Second Schedule to this Act.—The First Schedule of the Ballot Act is set out on pp. 682—695, *infra*. Part I. of the Second Schedule to the present Act is as follows:—

"The following provisions shall be inserted in the First Schedule to the Ballot Act, 1872, after Rules 2 and 14 respectively, that is to say:—

'2A. In an election of members to serve in a new Parliament of the United King-

dom the day fixed by the returning officer for the election [*i.e.*, where the election is contested, the day of nomination (*k*)] shall in all cases be the eighth day after the date of His Majesty's gracious Proclamation declaring the calling of the Parliament.'

'14A. In an election of members to serve in a new Parliament of the United Kingdom, the day appointed by the returning officer for the poll (*l*) shall in all cases be the ninth day after the day fixed for the election.'"

As to the second paragraph of sub-section (1) *of sect.* 21 *set out above*, the part of the First Schedule to the Ballot Act, 1872, which is modified by such second paragraph is Rule 14 (*m*) of Part I. of such Schedule, which deals with the day on which the poll shall take place.

As to the words in sub-section (2), **any steps for holding an election which may be taken on or after the receipt of the writ**, see pp. 179, 180, *infra*, and Ballot Act, First Schedule, Rules 1—13 (*n*).

As to the words in sub-section (4), **the provisions of section one of the Ballot Act, 1872, relating to the commencement afresh of the proceedings with relation to the election on the death of a**

(*k*) As to this, see p. 179, *infra*.
(*l*) As to "the day appointed for the poll," see p. 179, *infra*.
(*m*) Set out on p. 685, *infra*.
(*n*) Set out on pp. 682—684, *infra*.

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candidate, see pp. 672, 673, *infra*, where sect. 1 of the Ballot Act is set out.

As to **a university election**, see pp. 279—281, *infra*.

Penalty for voting at a general election in more constituencies than allowed. 46 & 47 Vict. c. 51.

22.—(1) If any person at a general election votes for more constituencies than he is entitled to vote for in accordance with this Act,[1] or asks for a ballot or voting paper for the purpose of so voting, he shall be guilty of an illegal practice within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883[2]; and the expression "illegal practice" shall be construed accordingly: Provided that—

(a) the court before whom a person is convicted under this section may, if they think it just in the special circumstances of the case, mitigate or entirely remit any incapacity imposed by section ten of the Corrupt and Illegal Practices Prevention Act, 1883[3]; and

(b) the fact that any person has asked for a ballot paper in a constituency in circumstances which entitle him only to mark a tendered ballot paper in pursuance of Rule 27 of the First

[1] See p. 166, *infra*. [2] See p. 166, *infra*.
[3] See p. 166, *infra*.

Part of the First Schedule to the Ballot Act, 1872,[4] shall not, if he does not exercise that right,[5] prevent his voting or asking for a ballot or voting paper in another constituency; and

(c) the giving of a vote by a returning officer in pursuance of section two of the Ballot Act, 1872,[6] in the case of an equality of votes, or the asking for a ballot paper for the purpose of so voting, shall not, for the purposes of this section, be deemed to be the giving of a vote as a parliamentary elector, or the asking for a ballot paper for the purpose of so voting.

(2) The questions set out in Part II. of the Second Schedule to this Act may be asked of any voter at a poll at a general election in addition to those authorised already to be asked[7]; and unless there is an answer given in the negative, that person (except as provided in that Schedule) shall not vote.[8]

NOTE.—*As to the words in sub-section* (1), **if any person at a general election votes for more constituencies than he is entitled to vote for in**

[4] See p. 166, *infra*.
[5] See p. 166, *infra*.
[6] See p. 167, *infra*.
[7] See pp. 167—172, *infra*.
[8] See p. 172, *infra*.

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accordance with this Act.—As to the number of votes which a person is entitled to give at a general election, see pp. 108—110, *supra*.

an illegal practice within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883.—Under the last-mentioned Act the effect of the commission by any person of an illegal practice is that such person is, on summary conviction, liable to a fine not exceeding 100*l.*, and is incapable during a period of five years from the date of his conviction of being registered as a parliamentary or local government elector, or of voting at any parliamentary or local government election held for or within the county or borough in which the illegal practice was committed (*m*).

As to the words in sub-section (1) (a), **any incapacity imposed by section ten of the Corrupt and Illegal Practices Prevention Act, 1883.**—The incapacity here referred to is that just mentioned.

As to the words in sub-section (1) (b), **circumstances which entitle him only to mark a tendered ballot paper in pursuance of Rule 27 of the First Part of the First Schedule to the Ballot Act, 1872.**—As to this, see Rule 27 set out on pp. 686, 687, *infra*.

if he does not exercise that right—*i.e.* if being entitled only to mark a tendered ballot paper he (or she) does not mark it or give it to the presiding officer.

As to the words in sub-section (1) (c), **the giving**

(*m*) Corrupt and Illegal Practices Prevention Act, 1883, ss. 10, 64.

of a vote by a returning officer in pursuance of section two of the Ballot Act, 1872.—That part of sect. 2 of the Ballot Act which deals with this matter is as follows:—

"Where an equality of votes is found to exist between any candidates at an election for a county or borough, and the addition of a vote would entitle any of such candidates to be declared elected, the returning officer, if a registered elector of such county or borough, may give such additional vote, but shall not in any other case be entitled to vote at an election for which he is returning officer."

As to the words in sub-section (2), **The questions set out in Part II. of the Second Schedule to this Act may be asked of any voter at a poll at a general election in addition to those already authorised to be asked.**—The following are the questions set out in Part II. of the Second Schedule (*n*) to the present Act:—

"1. In the case of a man voting in respect of a residence qualification—

Have you already voted at this general election in respect of a residence qualification?

"2. In the case of a man voting in respect of a qualification other than a residence qualification—

Have you already voted at this general election in respect of a qualification other than a residence qualification?

(*n*) See p. 358, *infra*.

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"3. In the case of a woman voting at an election other than a university election—

Have you already voted at this general election?

[NOTE.—Unless the answer to the question is in the negative the woman shall not vote unless she satisfies the presiding officer that her previous vote was given at a university election.]"

The questions "already authorised to be asked" are as follows:—

"1. Are you the same person whose name appears as A. B. on the register of voters now in force for the county of [*or* for the riding, parts, *or* division of the county of], *or* for the city [*or* borough] of [*as the case may be*]?

"2. Have you already voted, either here or elsewhere, at this election for the county of [*or* for the riding, parts, *or* division of the county of], *or* for the city [*or* borough] of [*as the case may be*]?" (*p*).

If any person wilfully makes a false answer to either of these last two questions he is guilty of a misdemeanour, and shall and may be indicted and punished accordingly (*q*): and the returning officer or his deputy shall, if required on behalf of any candidate at the time of polling, administer an oath to any voter in the following form (*q*):—

"You do swear [*or* affirm, *as the case may be*], That you are the same person whose name ap-

(*p*) Parliamentary Voters Registration Act, 1843, s. 81.
(*q*) *Ibid.*

pears as A. B. on the register of voters now in force for the county of [*or* for the riding, parts, *or* division of the county of] *or* for the city *or* borough of [*as the case may be*], and that you have not before voted, either here or elsewhere, at the present election for the county of [*or* for the riding, parts *or* division of the county of] *or* for the city *or* borough of [*as the case may be*]. So help you God." Sect. 22

The present Act does not provide for any penalty in the case of a false answer to any of the questions set out in Part II. of the Second Schedule to the present Act or for any oath to be administered by the returning officer, but any person who answered these questions falsely and proceeded to vote would come within sect. 22 (1) of the present Act and would therefore be guilty of an illegal practice.

The meaning of the first of the above questions under the heading of questions "already authorised to be asked," and of the corresponding clause in the oath, is not whether the person tendering his vote is rightly named in the register as A. B., but whether he is the person whom the name A. B. was intended to designate there, so that George Jones, if entered in the register as John Jones, would be entitled to answer "Yes" to the question, whilst anyone else, though actually named John Jones, if he did so would be guilty of a misdemeanour (*r*).

(*r*) *R.* v. *Thwaites* (1853), 1 E. & B. 704. See also First Schedule, Rule 41, p. 353, *infra*.

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Thus in *New Sarum* (*s*), William Morris was entered on the register as John Morris. He stated at the poll that his name was William Morris, and the returning officer rejected his vote on the ground that his name was not on the register, but on appeal the Committee directed it to be added to the poll.

The questions must be put precisely in the form prescribed and no vote can be rejected unless they have been so put (*t*).

The answers must be positive and unequivocal. Therefore, if a voter, instead of answering "I am," or, "I have not," or words to the same effect, should say to the first question, "I think so," or, "I should say I am"; or to the second question, "I don't think I have," or, "If I did I should not come here," or give any similarly evasive answer, the presiding officer (*u*) would be justified in refusing to give him a ballot paper (*x*).

Where a voter to whom the questions, with or without the oath, are put, then declines to answer, but subsequently presents himself to vote and offers to answer the questions and take the oath if required, the better opinion seems to be that the presiding officer ought to repeat the questions, or administer the oath, with a view to allowing him to vote (*y*).

(*s*) (1833), P. & K. 261; see also *Oldham* (1869), 1 O. & H. 152, 153.

(*t*) *Canterbury* (1835), K. & O. 323, 326, 327.

(*u*) See Ballot Act, 1872, First Schedule, Part I., Rule 21, p. 685, *infra*.

(*x*) *Monmouth*, K. & O. 414; *Taunton*, Faulk. & Fitzh. 503.

(*y*) *Gloucestershire* (1777), Male on Elections, 113.

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Although they relate only to the questions "already authorised to be asked," it is submitted that the decisions just referred to as to the necessity for the questions being put precisely and for the answers to be positive, and as to the repetition of the questions at a later time when the voter in the first instance declines to answer, would be held to apply equally with respect to the questions (*z*) set out in Part II. of the Second Schedule to the present Act.

There is no duty laid on the presiding officer to put any of the questions set out above to every voter who presents himself in the polling-booth, but by sect. 81 of the Parliamentary Voters Registration Act, 1843, "the returning officer or his respective deputy shall, if required on behalf of any candidate, put to any voter at the time of his tendering his vote, and not afterwards," the questions set out above (*z*) under the head of questions "already authorised to be asked" or either of them. It is clear from the language of sect. 22 (2) of the present Act that this provision in sect. 81 of the Parliamentary Voters Registration Act, 1843, is intended to apply to the additional questions set out in Part II. of the Second Schedule to the present Act. The putting of these questions is the only inquiry permitted at the time of polling as to the right of any person to vote (*a*).

and unless there is an answer given in the negative, that person (except as provided in

(*z*) See pp. 167, 168, *supra*.

(*a*) Parliamentary Voters Registration Act, 1843, s. 81.

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that Schedule) shall not vote.—As to the necessity for the answer being positive and unequivocal, see the observations just made on p. 170, *supra*, under the preceding words of sect. 22 (2). The words "except as provided in that Schedule" refer to the Note to question 3, which is set out on p. 168, *supra*.

Sect. 22 applies to university elections (*b*) with the modifications required by sect. 36 (3) (a) (*c*). But the provisions of sect. 22 (2) as to "the questions authorised already to be asked" have no application to university elections, as those questions relate only to county or borough elections (*d*). Further, by sect. 36 (1) the provisions contained in the Fifth Schedule to the present Act apply to university elections, and by such Schedule (*e*) the voting paper is to be in a specified form, which contains the declarations set out in Part II. of the Second Schedule (*f*), such declaration being equivalent, in the case of university elections, to the questions set out in Part II. of the Second Schedule (*f*).

(*b*) See sect. 36 (2), p. 279, *infra*.

(*c*) See pp. 279, 280, *infra*.

(*d*) It is submitted that the words "city" or "borough" in the questions prescribed by the Parliamentary Voters Registration Act, 1843 (set out at p. 168, *supra*), do not include a university constituency, as sect. 101 of that Act, which defines "city or borough" as "any city, borough, town corporate, cinque port, district or place . . . ," is repealed by the present Act.

(*e*) See Fifth Schedule, Part I., cl. 11, set out at p. 366, *infra*, and form of voting paper set out at p. 372, *infra*; as to Scottish universities, see Part II. of the same Schedule, cl. 17, set out at pp. 375, 376, *infra*, and form of voting paper set out at p. 383, *infra*.

(*f*) See p. 358, *infra*.

Sect. 23
Voting by absent voters.

23.—(1) For the purpose of giving persons whose names are entered on the absent voters list[1] an opportunity of voting at a parliamentary election (other than a university election), the returning officer shall, where an election is contested, as soon as practicable after the adjournment of the election,[2] send a ballot paper to each such person at the address recorded by the registration officer,[3] together with a declaration of identity in the prescribed form.[4]

(2) The ballot paper marked by the absent voter[5] and accompanied by the declaration of identity[6] duly signed and authenticated shall, if it is received by the returning officer before the close of the poll,[7] be counted by him and treated for all purposes in the same manner as a ballot paper placed in the ballot box in the ordinary manner.[8]

(3) During the continuance of the present war and a period of twelve months thereafter, for the purpose of allowing more time for the receipt of ballot papers from persons whose names are entered on the absent voters list, His Majesty may by Order in Council[9] direct that the counting of votes at

[1] See pp. 177, 178, *infra*.
[2] See pp. 178—180, *infra*.
[3] See p. 180, *infra*.
[4] See p. 181, *infra*.
[5] See pp. 181, 182, *infra*.
[6] See p. 181, *infra*.
[7] See p. 182, *infra*.
[8] See pp. 182—200, *infra*.
[9] This Order in Council has not, at the date of going to press, been made.

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any elections to which the Order applies shall, instead of taking place as soon as practicable after the close of the poll, take place at such time (not exceeding eight days after the close of the poll) as may be fixed by the Order, and returning officers shall comply with any such direction; and in any such case any vote received by the returning officer from an absent voter before the time at which the votes are to be counted shall be reckoned in the count.

4) The following special provisions[10] shall apply for the purpose of enabling persons whose names are entered on the absent voters list to appoint voting proxies in certain cases :—

(a) His Majesty may by Order in Council[11] direct that voting by proxy by naval or military voters shall be permitted in any area on land abroad mentioned in the Order if it appears to him that ballot papers sent to that area by post cannot reasonably be returned before the votes are counted, and that the case cannot be met by an Order under this section postponing the counting of votes :[12]

[10] See pp. 200—202, *infra*.

[11] This Order in Council will be found on p. 753, *infra*.

[12] See pp. 200, 201, *infra*.

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(b) A person whose name is entered on the absent voters list, if he satisfies the registration officer—

(i) that he is a naval or military voter and is serving, or about to serve, afloat or in any area on land abroad in which voting by proxy is permitted in pursuance of an Order in Council made under this section[13]; or

(ii) that he is a merchant seaman, pilot, or fisherman (including the master of a merchant ship or fishing boat and an apprentice on such a ship or boat) and that there is a likelihood that he will be at the time of a parliamentary election at sea or about to go to sea[13];

shall be entitled, if he so desires, to appoint a proxy, and, having appointed a proxy, to vote by proxy at a parliamentary election in accordance with and subject to the provisions of this Act[14]:

(c) No ballot paper shall be sent for the purpose of voting by post to a person who has appointed a proxy under this provision while the ap-

[13] See p. 201, *infra*. [14] See p. 202, *infra*.

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pointment is in force, or to any naval or military voter if the returning officer knows that he is serving in an area in which voting by proxy is permitted in pursuance of an Order in Council made under this section[15]:

(d) The provisions set out in the Third Schedule to this Act shall have effect with respect to voting by proxy.[15]

(5) A person whose name is entered on the absent voters list shall not be entitled to vote except as an absent voter in pursuance of this section.[16]

(6) His Majesty may by Order in Council[17] prescribe the forms to be used for the purposes of this section, and make regulations as to the mode in which proxy papers may be issued and cancelled and in which ballot papers are to be sent to the voter for the purpose of voting by post and as to the authentication of any marked ballot papers, and generally for the purpose of carrying this section into effect and for preserving the secrecy of voting in pursuance thereof.[18]

NOTE.—This section provides for the method

[15] See p. 202, *infra*. [16] See pp. 202, 203, *infra*.
[17] This Order will be found on p. 754 *et seq.*
[18] See p. 203, *infra*.

of voting by absent voters at parliamentary elections other than university elections (*c*). Sect. 23

As to sub-section (1).—By sect. 13 (1) of the present Act "it shall be the duty of the registration officer . . . to place or cause to be placed on the register in accordance with the rules set out in the First Schedule to this Act the names of those entitled to vote as parliamentary electors . . . in his registration area."

The rules in the First Schedule bearing directly on the provisions of sect. 23 (1) are rules 16 and 17 (*d*), which are as follows:—

"16. Any person entitled to be registered as a parliamentary elector may, not later than the eighteenth day of February (*e*) where the claim is for the spring register (*f*), and the eighteenth day of August (*e*) where the claim is for the autumn register (*g*), claim to be placed on the absent voters list; and the registration officer, if satisfied that there is a probability that the claimant, by reason of the nature of his occupation, service, or employment, may be debarred from voting at a poll at parliamentary elections held during

(*c*) As to voting by absent voters at university elections other than Scottish university elections, see sect. 36 (1) and (3) (b), and Fifth Schedule, Part I., cl. 12; as to such voting at Scottish university elections, see sect. 36 (1) and (3) (b) and Fifth Schedule, Part II., cl. 17—23.

(*d*) See also rules 18 and 19 set out on p. 346, *infra*.

(*e*) It is important to notice that as regards the first register to be prepared under the Act, 31st July is substituted for this date. See Order in Council, dated June 4th, 1918, rule 6, p. 749, and Fifth Schedule, p. 752, *infra*.

(*f*) See pp. 125—129, *supra*.

(*g*) See pp. 125—129, *supra*.

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the time the register is in force, shall place the claimant (if registered) on the absent voters list.

"17. It shall be the duty of the registration officer, without any claim being made for the purpose, to place on the absent voters list any naval or military voter (*o*), unless—

(a) that person, not later than the eighteenth day of February (*k*) as respects the spring register, and the eighteenth day of August (*k*) as respects the autumn register, gives notice (*l*) to the registration officer that he does not desire to be placed upon that list; or

(b) that person is registered, in pursuance of a claim (*m*) for the purpose, for the constituency in which he has an actual residence qualification" (*n*).

It will be seen from the above rules that the **persons whose names are entered on the absent voters list** will be (i) any person entitled to be registered as a parliamentary elector who claims to be placed on the absent voters list and whose claim the registration officer allows; and (ii) any person who being a naval or military voter (*o*) does not fall within the exceptions mentioned in rule 17 (a) and (b).

As to the words in sub-section (1), **where an**

(*k*) As regards the first register, 17th August is substituted for this date. See p. 177, footnote (*e*), *supra*.

(*l*) No form of notice is prescribed.

(*m*) See p. 569, *infra*.

(*n*) See pp. 91—93, *supra*.

(*o*) As to what constitutes a naval or military voter, see pp. 79—85, *supra*.

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election is contested, as soon as practicable after the adjournment of the election.—It is of course only where an election is contested that sect. 23 is applicable; but in order to render the meaning of this sub-section clear it is thought desirable to state shortly the duty of the returning officer with respect to the fixing of the day of election, and, if the election be contested, the day of taking the poll.

The expression "day of election" in the Ballot Act, 1872, really means the day appointed for the nomination of candidates (*p*). In the event of there not being more candidates than there are vacancies, such candidates are on such day declared elected (*q*). If, on the other hand, there are more candidates than there are vacancies, *i.e.* if the election is contested, it is the duty of the returning officer to adjourn the election for the purpose of taking a poll (*r*). The day of election in its popular sense is therefore the day upon which the poll is taken (which in this Note is hereafter called the day of the poll), and not "the day of election" as used in the Ballot Act.

The "day of election" in the sense which it bears in the Ballot Act (*i.e.*, the day fixed for receiving nominations) is now, at a general election, in all constituencies other than university constituencies, the eighth day after the date of the procla-

(*p*) Ballot Act, 1872, s. 1, and First Schedule, Part I., rr. 1, 2; and see sect. 21 (1) of the present Act (p. 161, *supra*), where what is called in the Ballot Act "day of election" is described as above.

(*q*) Ballot Act, 1872, s. 1.

(*r*) *Ibid.*, and First Schedule, Part I., r. 9.

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mation declaring the calling of the new Parliament. The day of the poll is now, at a general election, the ninth day after the "day of election" (*s*).

At a bye-election, the "day of election" is, in the case of an election for a county, such day as the returning officer may fix, not later than the ninth day after the day on which he receives the writ, and, in the case of an election for a borough, not later than the fourth day after the day on which he receives the writ (*t*), and the day of the poll is such day as the returning officer may appoint, not being less than four or more than eight clear days after the day fixed as "the day of election" (*u*).

It follows from what is said above that the period which elapses between the adjournment of the election and the day of the poll is, in the case of a general election, nine days, and, in the case of a bye-election, not less than four or more than eight days. The returning officer must send the ballot paper to the absent voter as soon as practicable after the commencement of this period.

As to the words in sect. 23 (1), **send a ballot paper to each such person at the address recorded by the registration officer,** rule 19 of the Registration Rules provides that—

"The registration officer shall keep a record of any address which may be furnished to him by any person placed on the absent voters list, or by the Admiralty, Army Council, Air Council or Board of Trade, as the address which is to be for

(*s*) See sect. 21, pp. 161—162, *supra*, and pp. 162—163.

(*t*) Ballot Act, 1872, First Schedule, Part I., r. 2.

(*u*) See sect. 21 (1), p. 161, *supra*, also Ballot Act, 1872, First Schedule, Part I., r. 14.

the time being the address of the voter for the purpose of the provisions relating to voting by absent voters and, as soon as practicable, shall cause instructions to be sent to the voter as to the mode of voting under those provisions.

"The record of addresses shall be open to inspection under the same conditions that govern the register" (*x*).

As to the words **a declaration of identity in the prescribed form,** the word "prescribed" means "prescribed by His Majesty by Order in Council" (*y*), but up to the time of going to press no form has been prescribed.

In order to assist the registration officer in the registration of naval and military voters, rule 18 of the Registration Rules provides that—

"The Admiralty, the Army Council, and the Air Council, either directly or through officers appointed by them, shall in the prescribed manner furnish to the registration officers in the several constituencies such information as to the names and addresses of Naval and Military voters (*z*) and such other particulars as may be necessary for the purpose of their registration and of their voting as such, and it shall be the duty of the Local Government Board to render any assistance that may be required by the Admiralty, the Army Council, and the Air Council in conveying such information to the registration officers:

"Provided that the Admiralty, Army Council,

(*x*) See Rule 27, p. 349, *infra*.
(*y*) See sect. 41 (11), p. 308, *infra*.
(*z*) See pp. 79—85, *supra*.

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As to sub-section (2).—**The ballot paper marked by the absent voter.** This, of course, refers to a ballot paper (*a*) which has been sent to the absent voter in pursuance of the provisions of sect. 23 (1).

As to **the declaration of identity,** see p. 181, *supra.*

if it is received by the returning officer before the close of the poll.—By the First Schedule to the Ballot Act, 1872, Part I., rule 32, "the returning officer shall make arrangements for counting the votes in the presence of the agents of the candidates as soon as practicable after the close of the poll."

It will be seen, therefore, that subject to the provisions of sub-sect. (3) the time allowed for an absent voter to receive his ballot paper and return it to the returning officer is very short (*b*).

be counted by him and treated for all purposes in the same manner as a ballot paper placed in the ballot box in the ordinary manner.—The procedure here referred to which the returning officer must adopt with regard to the counting of ballot papers is prescribed by the second paragraph of sect. 2 of the Ballot Act, 1872, and rules 31 to 38 (*c*) of the First Schedule

(*a*) See also pp. 182—200, *infra.*

(*b*) See Note on the meaning of the words "as soon as practicable after the adjournment of the election" on pp. 179—180, *supra.*

(*c*) Set out at pp. 687—689, *infra.*

to that Act. It will be seen that by rule 34 the returning officer must mix the absent voters' ballot papers with the other ballot papers before counting the votes. Sect. 23.

The only matter under these rules which appears to call for special consideration here is that dealt with by rule 36, which is as follows :—

"The returning officer shall endorse 'rejected' on any ballot paper which he may reject as invalid, and shall add to the endorsement 'rejection objected to,' if an objection be in fact made by any agent to his decision. The returning officer shall report to the Clerk of the Crown in Chancery the number of ballot papers rejected and not counted by him under the several heads of,—

"(1) Want of official mark ;

"(2) Voting for more candidates than entitled to ;

"(3) Writing or mark by which voter could be identified ;

"(4) Unmarked or void for uncertainty ;

and shall on request allow any agents of the candidates, before such report is sent, to copy it."

"The questions here raised," said Lord Neaves in *Wigtown* (*d*), "are important and delicate on this account in particular, viz., that while a certain form of exercising the franchise is pointed out in the statute on the subject, some deviations from the strict letter of the directions therein contained may be so trifling as to be immaterial, while others may be more serious, and thus may be fatal. The merits of each vote, therefore, may

(*d*) (1874), 2 O. & H. 220, 221.

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"In this state of matters the important point is to look to the great objects and principles of the statute, and to take care that we do everything necessary to follow these out, and nothing that can defeat or endanger them.

"The great object in view, I take it, in the Ballot Act is the double result of facility in the exercise of the franchise and perfect secrecy as to the vote of individual voters. This double purpose is by the Act sought to be accomplished by not allowing a vote to be given *vivâ voce*, as it used to be, nor in writing (properly speaking), in either of which cases secrecy would be impossible, or would be imperilled, for by writing, though not setting forth the writer's name, yet through the *comparatio literarum* the writer might be discovered. Nor would it have done, perhaps, to leave the voter to put any mark he pleased to show the candidate for whom he voted. A mark has been pointed out and represented in the statutory directions, that of a cross, thus, X. It is, I think, a mark well devised for the purpose, easy of execution by men of the most moderate intelligence, and at the same time perfectly neutral in its character, so as to be practically incapable of betraying its authorship by its appearance. I think it is scarcely possible that a ballot paper

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strictly in terms of the statute should lead to the voter's identification, one man's cross being in general indistinguishable from another man's."

It is important to notice, as was pointed out in the considered judgment of the Court in the case of *Woodward* v. *Sarsons* (*d*), that "the rules in the 1st Schedule of the Ballot Act and the forms in the 2nd Schedule are directory enactments, as distinguished from the absolute enactments in the section in the body of the Act, and that, while the general rule is that an absolute enactment must be obeyed or fulfilled exactly, it is sufficient if a directory enactment be obeyed or fulfilled substantially. The second section enacts, as to what the voter shall do, that 'the voter, having secretly marked his vote on the paper, and folded it up so as to conceal his vote, shall place it in an enclosed box.' This is all that is said in the body of the Act about what the voter shall do with the ballot paper. That which is absolute, therefore, is that the voter shall mark his paper secretly (*e*). How he shall mark it is in the directory part of the statute. . . . The result seems to be, as to writing or mark on the ballot paper, that if there be substantially a want of any mark, or a mark which leaves it uncertain whether the voter intended to

(*d*) (1875), L. R. 10 C. P. at pp. 746, 747, 748.

(*e*) If this provision is infringed, the vote will be void, and a similarly strict compliance with all the other requirements of sect. 2 is necessary. Thus a vote will be void if the ballot paper has no official mark on it (*Wigtown* (1874), 2 O. & H. 215) or if it is filled up in such a way as to lead to the identification of the voter. See sect. 2 of the Ballot Act, 1872, and Sched. 2, which is made part of such Act by sect. 28: *Woodward* v. *Sarsons* (1875), L. R. 10 C. P. 747.

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vote at all or for which candidate he intended to vote, or if there be marks indicating that the voter has voted for too many candidates, or a writing or a mark by which the voter can be identified, then the ballot paper is void, and is not to be counted; or, to put the matter affirmatively, the paper must be marked so as to show that the voter intended to vote for someone, and so as to show for which of the candidates he intended to vote. It must not be marked so as to show that he intended to vote for more candidates than he is entitled to vote for, nor so as to leave it uncertain whether he intended to vote at all or for which candidate he intended to vote, nor so as to make it possible, by seeing the paper itself, or by reference to other available facts, to identify the way in which he has voted (*f*). If these requirements are substantially fulfilled, then there is no enactment and no rule of law by which a ballot paper can be treated as void, though the other directions in the statute are not strictly obeyed. If these requirements are not substantially fulfilled the ballot paper is void, and should not be counted; and if it is counted, it should be struck out on a scrutiny. The decision in each case is upon a point of fact, to be decided first by the returning officer, and afterwards by the election tribunal, on petition."

1. *Want of official mark.*

"It is quite sufficient if there is such evidence of the official mark, whether it is perforated

(*f*) See also the observations of Channell, J., in *Exeter* (1911), 6 O. & H. at p. 232.

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through the paper, whether the ink is caused to run through the paper so as to indicate the official mark, or whether the stamp is applied, but fails to make a perfect mark. In all such cases, if there be evidence that the presiding officer has intended to make, and has in fact made, what, fairly looked at, indicates that a recognisable official mark is upon the back of the ballot paper, votes marked upon such papers ought to be held good votes in the absence of any other substantial objection (*g*)."

2. *Voting for more candidates than entitled to.*

"If there be marks indicating that the voter has voted for too many candidates . . . then the ballot paper is void and is not to be counted. . . . The paper must not be marked so as to show that he intended to vote for more candidates than he is entitled to vote for" (*h*).

If it is so marked "the ballot paper is void and should not be counted; and if it is counted, it should be struck off on a scrutiny" (*h*).

3. *Writing or mark by which the voter could be identified.*

The fact that the marks are such as *might* lead to the identification of the voter is not sufficient to vitiate and render void the vote. The mark must be a mark by which the voter *can* (not *might possibly*) be identified. Whether the mark is such is a matter of fact. It is an in-

(*g*) Per Hawkins, J., in *Cirencester* (1893), 4 O. & H. at p. 196.

(*h*) *Per curiam* in *Woodward* v. *Sarsons* (1875), L. R. 10 C. P. at p. 748. See also *Phillips* v. *Goff* (1886), 17 Q. B. D. 814. But see as to a university election held according to the principle of proportional representation, pp. 160—161, and 158—160, *supra*.

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4. *Unmarked or void for uncertainty.*—The Courts appear to have placed a more rigid and technical interpretation on the language of the statute in the earlier than in the later cases. Thus in *Wigtown* (*k*) Lord Neaves said :—

"I think it essential to a good vote that the voter should make the cross thus pointed out, and that any mark materially different would be a deviation from what is prescribed, and a failure to fulfil the requirements of the statute. For anyone to put, instead of a cross, a circle or an oval, or any other geometrical or anomalous figure, would not be a compliance with the law, independently of the consideration that such a plain and wilful departure from what was intended would suggest strongly the suspicion that some sinister purpose was intended."

Again, in *Stepney Division* (*l*) counsel objected to a vote on the ground that the voter had put a circle instead of a cross and that by this it might be identified; he cited *Wigtown* (*m*). Denman, J., said (*n*) :—

"The question here is whether a ballot paper is good in which the voter, instead of making a cross or a mark of the ordinary kind straight

(*i*) See the observations of Hawkins, J., in *Cirencester* (1893), 4 O. & H. at p. 198.

(*k*) (1874), 2 O. & H. at pp. 220, 221.

(*l*) (1886), 4 O. & H. at p. 37.

(*m*) (1874), 2 O. & H. 215.

(*n*) *Stepney Division* (1886), 4 O. & H. at pp. 37, 38.

with his pen, deliberately makes a circle. If a man does that, he really must do it either with some sinister object, or it is so perversely and absurdly in deviation from the directions of the Ballot Act as to make it a case in which he ought really to be held to have thrown away his vote. If he does it with the sinister object of having his vote known, then he has forfeited his vote because he has violated the Ballot Act. If he does it purposely—and one cannot understand a man supposing that a cross is a circle—he has done it perversely, and done it in such a way as again to legitimately forfeit his vote. If he does it purposely, knowing that his vote may be thrown away, then he really has not indicated his intention to vote for the candidate against whose name he has placed the mark; so that in any case there is no good ground for holding that a circle is a cross within the meaning of the Ballot Act."

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The vote was struck off.

The attention of the Court in this case does not appear to have been drawn to the important decision of the Court of Common Pleas in *Woodward* v. *Sarsons* (*o*), but having regard to that case and to later decisions, it is respectfully submitted that the observations of Lord Neaves cited above do not correctly state the law, and that the decision of the Court in *Stepney Division* must now be regarded as overruled.

In *Woodward* v. *Sarsons* (*p*) it was laid down that any mark which sufficiently indicates for

(*o*) (1875), L. R. 10 C. P. 733.
(*p*) *Ibid.* at p. 748.

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whom the vote is given, so long as it is not such as to enable the voter to be identified, is good. The following modes of marking were held good (*q*) in the absence of evidence of connivance or pre-arrangement:—

(a) Two or three crosses instead of one.

(b) A straight vertical line instead of a cross.

(c) A straight stroke in addition to a cross.

(d) A letter P in addition to a cross.

(e) An oblique line instead of a cross.

(f) A star instead of a cross.

(g) A pencil line drawn through the name of one candidate and a cross opposite that of another.

(h) A cross placed on the left instead of the right-hand side of the candidate's name.

Some of these decisions are in conflict with some of the decisions of the majority of the judges in the Scottish Court of Session in *Wigtown* (*r*), and in regard to this Lord Coleridge, C.J., in delivering the considered judgment of the Court in *Woodward* v. *Sarsons* (*s*) said:—

"We are aware that, in so applying the principles which we have deduced from the statute, we are acting apparently in opposition to some of the decisions in the *Wigtown* case (*t*); but there may have been evidence in that case which does not exist in the present case, and which made many of the marks there marks of identification, which the mere presence of such marks here does

(*q*) (1875), L. R. 10 C. P. at p. 749.

(*r*) (1874), 2 O. & H. 215.

(*s*) (1875), L. R. 10 C. P. at p. 750.

(*t*) (1874), 2 O. & H. 215, 227; 1 Court of Sess. Cases, 4th Series, 925, 231, *sub nom. Haswell* v. *Stewart*.

not do. If this was not so, we respectfully differ from the strict view taken by the majority of the learned judges who decided that case, and adhere to the view of Lord Benholme given in that case."

In 1876 a Select Committee of the House of Commons, appointed to inquire into the working of the Ballot Act, reported that in their opinion "no ballot paper should be rejected unless it appears clearly to the returning officer that the obligatory portion of the Act has not been complied with; and that the marking of the ballot paper in a manner not in accordance with the 'directions' should not cause its rejection, unless it appears to the returning officer that such departure from the directions has been for the purpose of identification, or would necessarily afford an opportunity for such identification being effected, or unless the returning officer is unable to determine for whom the voter intended to vote." The Committee further suggested that the Home Office should forward to every returning officer the case and judgment in *Woodward* v. *Sarsons* (*u*).

In the later case of *Buckrose* (*x*), where a vote was objected to on the ground that the ballot paper had been marked with a circle instead of a cross, the vote was allowed. Pollock, B., said (*y*):—

"I should have myself no doubt about this case but for the remarks of my brother Den-

(*u*) Par. Pap. 162 of 1876, p. iv.
(*x*) (1886), 4 O. & H. 110.
(*y*) *Ibid.* at p. 112.

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man (*z*), which one must take to have been entirely assented to by my brother Field, inasmuch as he did not dissent from them, but we have not before us the precise character of the circle in that case. It may have been something very accurate as a circle, and it may have indicated more education and mental power than is indicated by such figures as we find here, and therefore I cannot consider that that case is a binding authority upon us with reference to this particular ballot paper. So far as the Scotch authority goes it is not binding upon us. But now let us look at the plain intention which is indicated by the statute itself." After referring to the 2nd section of the Ballot Act, 1872, and the 2nd Schedule to that Act, the learned Baron continued: "It is in the schedule that for the first time you have an indication that it shall be by a cross. When you get to the form the same thing is indicated, and the only question is whether that cross, in the form of a cross substantially, is essential to a good vote. It has been already held that if it be a cross with a mark across it like an X, or like a Winchester cross, and a good many figures of that kind, then it would be perfectly good. This is not a cross; but is it such a departure from a cross as to indicate any intention on the part of the voter otherwise than to record his vote for the person whose name is opposite the bad cross? I cannot myself think that that is so. For my part, I think this is a good vote."

(*z*) In *Stepney Division* (1886), 4 O. & H. at pp. 37, 38.

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Smith, J., concurred, holding that the case came within the principle of *Woodward* v. *Sarsons* (*a*), and that the ballot paper was marked in such a way as to show that the voter intended to vote for the candidate opposite whose name he had placed the mark in question.

In *Buckrose* (*b*) counsel objected to a vote on the ground that the only mark on the paper was a cross made upon the name of Mr. S., in such a way as to make it appear possible that he intended to strike the name out. The vote was disallowed.

In the same case (*b*) a vote was objected to on the ground that the cross had been put, not opposite to either of the candidates' names, but in the right-hand top corner of the ballot paper above the line. The Court, following the opinion of Hawkins, J., in *Berwick* (*c*) and of the Court in *Stepney Division* (*d*), held that the vote was void for uncertainty.

A vote was also objected to by counsel on the ground that the figure 33 had been written upon the back of the ballot paper. The Court, in the absence of any evidence showing that the voter could be identified by the writing, allowed the vote (*d*), following the decision of Field, J., in *Stepney Division* (*e*).

In *Buckrose*, the same case (*d*), a ballot paper

(*a*) (1875), L. R. 10 C. P. 733.
(*b*) (1886), 4 O. & H. at p. 112.
(*c*) (1880), 3 O. & H. at p. 182.
(*d*) (1886), 4 O. & H. at p. 111.
(*e*) (1886), 4 O. & H. 40.

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had been rejected by the returning officer which had been marked upon the back opposite the name of one of the candidates, and it was contended that, inasmuch as the mark could be seen through the paper without turning it over, it was a good vote. Pollock, B., said (*e*): "I have a very clear opinion that that will not do. If you take the whole context of the Act and read the direction, the voter is to place a cross on the right-hand side opposite the name of each candidate for whom he votes, and that together with the other provision with regard to the returning officer clearly indicates that it must be upon the face of the paper. We think that the vote was properly rejected on the ground that a cross upon the back is not a compliance with the Act."

In the same case a ballot paper marked in the usual way on the face opposite the name of one candidate but with a cross on the back opposite the name of the other candidate was allowed for the former candidate (*e*).

Where a ballot paper was marked with a cross on the left-hand side of the respondent's name, and with a straight line on the right-hand side of the petitioner's name, and the vote was objected to on the ground of uncertainty, Pollock, B., said (*f*): "I think the cross in one case and the line in the other make it doubtful, and we must reject the vote."

(*e*) (1886), 4 O. & H. at p. 111.
(*f*) *Ibid.* See also *Exeter* (1911), 6 O. & H. at p. 229.

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In *Stepney Division* (*g*), where the cross had been put on the top of the voting paper opposite the words "Ballot paper," the vote was struck off on the ground of uncertainty.

In the same case the Court was divided in opinion as to whether a name and a cross on the back of a ballot paper invalidated the vote (*h*).

In *Cirencester* (*i*), Hawkins, J., thus explained the principles by which the Court would be guided in dealing with cases of this kind:—

"With regard to those votes as to which objections have been raised to the mode in which they were marked by the voters, we have proceeded upon what we think was the true intention of the Legislature in framing the Act of Parliament. We have, first of all, asked ourselves whether the voter received his paper with the intention to vote. The mere fact that he has applied for and received a voting paper affords abundant evidence that such was his intention. Then we have looked at the face of the paper itself, with a view to see whether or not the voter has by any mark clearly indicated the person for whom he wished and intended to vote; and if we have found such a mark we have upheld the vote, regardless of the very technical, and as we think unsubstantial, objections which have been allowed in some of the earlier cases to be found in the

(*g*) (1886), 4 O. & H. 37.

(*h*) The decision on this point in *Wigtown* (1874), 2 O. & H. 216, was, however, not mentioned to the Court.

(*i*) (1893), 4 O. & H. at pp. 196, 197.

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reports of election cases, our view being that we ought to interpret the Ballot Act liberally, and, subject to other objections, to give effect to any mark on the face of the paper which in our opinion clearly indicated the intention of the voter, whether such mark were in the shape of a cross, or a straight line, or in any other form, and whether made with pen and ink, pencil, or even an indentation made on the paper, and whether on the right or the left hand of the candidate's name, or elsewhere within his compartment on the voting paper. Of course, every deviation from the course pointed out in the rule tends to create difficulties which may be avoided by a rigid observance of it. It is highly prudent therefore to adhere to it, though we do not think it essential. . . . There were some marks and blotches of a very irregular character (on the voting paper), which might well be mistaken as indications of temporary unsteadiness in the voters, who by their unsteadiness imperil their votes. In such cases we have done our best to discover whether, although obscured by the blots, blurs, and other marks, there existed positive indications on the part of the voter of an intention to vote without a thought of leaving behind a trace to enable him to be identified. . . . Of course, if it is upon the face of the ballot paper left in doubt whether the man intended to vote for one candidate or the other, the weight of the objection that the vote is uncertain is obvious, for the simple reason that one candidate has just as much right to claim

the vote as the other, and so it ought not to be counted for either, and the statute so enacts."

"It has been held (*k*)," said Hawkins, J., in *Berwick-upon-Tweed* (*l*), "that it is not necessary that this mark should be made with the pencil provided in the compartment, or with a pencil at all. A mark made with ink or with a piece of burnt stick is just as good as a mark made with pencil, and I cannot see any reason why a mark made in any other way is not just as good."

In the same case one of the ballot papers had been marked with a long cross, one part of which extended into the space opposite the name of the respondent, although the actual intersection of the cross was in the space opposite the petitioner's name. It was held that this was a good vote for the petitioner. "If," said Lopes, J. (*m*), "you strike out the upper part of the cross, that is, the part opposite the name of the respondent, you will still have a perfect cross opposite the petitioner's name. On the other hand, if you strike off what is opposite to the petitioner's name, you will have no cross at all."

In *Pontardawe Rural District Council Election Petition* (*n*) certain doubtful ballot papers were reserved for the consideration of the Court, among which were three papers in which the marks made by the voters were outside the compartments or

(*k*) In *Wigtown* (1874), 2 O. & H. 219.
(*l*) (1880), 3 O. & H. at p. 180.
(*m*) *Ibid.* 181.
(*n*) (1907) 2 K. B. 313.

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ruled spaces on the ballot papers. The marks, however, although outside the compartments, were placed directly opposite the names of certain of the candidates, so as to leave no doubt for whom the voters intended to vote. Ridley, J., said:—"I think that as long as the mark is opposite the name of the candidate, so as to make it clear that the voter intended to vote for him, the vote is good. If the mark were above or below the name it would not be clear, and the paper would be void for uncertainty."

Phillimore, J., said:—"I agree. The effect of placing the mark outside the printed space may be to make it more difficult to decide for whom the vote was given. But here there is admittedly no difficulty in so deciding. A mark put directly opposite the name of a particular candidate is to my mind a good vote."

Where the voter writes his own name instead of a cross, as directed, opposite the candidate's name (*o*), or where he writes any name (*p*) or initials (*q*), even though they are not those of the voter or candidate, the vote will be rejected on the ground that the voter could be identified by his handwriting.

In *West Bromwich* (*r*) various ballot papers were considered on a scrutiny by Ridley and Bucknill,

(*o*) *Woodward* v. *Sarsons* (1874), L. R. 10 C. P. at pp. 737, 749.

(*p*) *Ibid.* at pp. 736, 749; *Wigtown* (1874), 2 O. & H. at pp. 216, 217; *Exeter* (1911), 6 O. & H. at pp. 229—231.

(*q*) Ballot Act, 1872, s. 2.

(*r*) (1911), 6 O. & H. at pp. 256, 257.

JJ., and it may be useful to refer to the following decisions of the Court:— Sect. 23.

Crosses outside the proper vote-space, but well opposite the candidate's name, were allowed to him.

A cross in the margin altogether underneath the candidate's name-space was disallowed to him, but one in the right-hand margin altogether outside that space and the proper vote-space, but partly parallel with them and partly beneath them, was allowed to him.

A very faint cross in the candidate's name-space was allowed to the candidate (*s*).

A cross immediately under the space for the 2 in the number column (*i.e.* the candidate's number), wholly in the bottom margin, was disallowed to the candidate, but a cross slightly within that space was allowed to him.

All crosses opposite the words "Ballot Paper," which were printed in the top margin, immediately over all the spaces where the crosses were wholly outside those spaces, were disallowed, but where part of the cross extended into the proper vote-space for the candidate it was allowed.

A cross in the top margin, but extending slightly into the candidate's number-space (*i.e.* 1), was allowed to him.

A confused mark in the proper vote-space for the candidate was allowed to the candidate (*t*).

(*s*) See also *Exeter* (1911), 6 O. & H. at p. 228.
(*t*) *Ibid.* at p. 229.

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A faint mark (not a cross) against the candidate's name was allowed to him.

A cross across the dividing line between the candidates' name-spaces, but mostly in the upper space, was allowed to the candidate whose name was in the upper space.

A cross across the dividing line between the spaces in the number column, but mostly in the upper space (*i.e.* 1), was disallowed to the candidate whose name was in the upper space.

The whole of the paper and print relating to one candidate had been torn off and missing, but there was a cross in the proper vote-space for the other candidate—disallowed.

A cross on the left-hand margin opposite, but wholly outside of, the candidate's number-space was allowed to him.

A cross on the right-hand margin opposite, but wholly outside of, the candidate's proper voting-space was allowed to him.

The decision of the returning officer as to any question arising in respect of any ballot paper is final, subject to reversal on petition questioning the election or return (*u*).

As to sub-section (3) *of sect.* 23.—If an Order in Council is issued under this sub-section, it will affect the provisions of sub-section (2), dealt with on p. 182, *supra.*

As to sub-section (4).—This sub-section deals with voting by proxy, which is the second of the two methods provided in sect. 23 by which absent voters can vote.

(*u*) Ballot Act, 1872, s. 2.

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Sub-section (4) (a) provides that His Majesty may by Order in Council permit naval or military voters to vote by proxy when the locality abroad where they are performing their duties is so far distant from the United Kingdom or so inconveniently situated that the method of voting provided by sect. 23 (1), (2), (3) is impracticable. By Order in Council, dated June 25th, 1918 (*v*), voting by proxy is permitted in all areas on land outside the British Islands except areas in France and Belgium.

Sub-section (4) (b) states the conditions upon which an absent voter is entitled to exercise the right of voting by proxy. These conditions are that he must satisfy the registration officer that he comes within the provisions of sub-section (4) (b) (i) or (b) (ii).

As to the meaning of the words **a naval or military voter** in (4) (b) (i), and his right to vote, see pp. 79—94, *supra*.

As to the word **afloat**, by sect. 41 (10) this "shall be interpreted in accordance with the rules (*x*) made for the purpose by the Admiralty."

As to the words **in any area on land abroad in which voting by proxy is permitted in pursuance of an Order in Council made under this section**, this of course refers to the areas mentioned above, *i.e.*, to all areas outside the British Islands except areas in France and Belgium.

(*v*) Set out on p. 753, *infra*.
(*x*) For these rules, see p. 628, *infra*.

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The persons described in (4) (b) (ii) fall within one of the classes of "naval or military voters" within the meaning of sect. 5 (3) (ii) (a) (*y*).

As to the meaning of the words **to appoint a proxy**, see the Third Schedule to the present Act, clauses 1, 3 and 4, p. 359, *infra*.

As to the words **to vote by proxy at a parliamentary election in accordance with and subject to the provisions of this Act**, see the Third Schedule to the present Act, clauses 5 to 15, pp. 360—362, *infra*.

As to sub-section (4) (c), a returning officer shall not send a ballot paper for the purpose of voting by post under sect. 23 (1) to any person who has appointed a proxy while the appointment is in force, and it provides further that no such ballot paper shall be sent to any naval or military voter if the returning officer knows that he is serving in any area which comes within sect. 23 (4) (a), whether such naval or military voter has appointed a proxy or not.

As to sub-section (4) (d), the Third Schedule to this Act is set out on pp. 359—362, *infra*.

As to sub-section (5).—This sub-section provides that a person whose name is entered on the absent voters list shall not be entitled to vote except under sect. 23 (1), (2), (3), by sending a ballot paper to the returning officer, or under sect. 23 (4) by proxy; in other words, a person on the absent voters list is not allowed to vote by placing the ballot paper in the ballot box in the ordinary manner.

(*y*) Set out at pp. 77—78, and see pp. 79—85, *supra*.

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There appears to be nothing in the Act to prevent a person being placed on the absent voters list in respect of his qualification in two or more constituencies (*z*). An absent voter registered in more than one constituency can exercise his or her right to vote in each such constituency provided that the voter does not vote for more constituencies than he or she is entitled to vote for under sect. 8 (1)(*a*).

As to sub-section (6).—An Order in Council prescribing forms and making regulations with regard to proxy papers will be found on pp. 754—757, *infra*.

Voting by persons in the employment of returning officers.

24. Where an elector for any constituency (other than a university constituency) is employed by the returning officer for that constituency for any purpose in connection with an election for that constituency, and the circumstances of that elector's employment are, in the opinion of the returning officer, such as to prevent him from voting at the polling station at which the elector would otherwise be entitled to vote, the returning officer may authorise the elector, by a certificate given in the prescribed form, to vote at any other polling station in the constituency, and that polling station shall, for the purpose of Rule 18 of Part I. of the

(*z*) See pp. 85—96, *supra*.
(*a*) See pp. 100—101, 108—110, *supra*.

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First Schedule to the Ballot Act, 1872, be deemed to be the polling station allotted to that elector.

NOTE.—**in the opinion of the returning officer.**—It would appear that the opinion of the returning officer would be conclusive on the matter in question.

at the polling station at which the elector would otherwise be entitled to vote.—By Rule 15 of the First Schedule to the Ballot Act, 1872, "at every polling place the returning officer shall provide a sufficient number of polling stations for the accommodation of the electors entitled to vote at such polling place, and shall distribute the polling stations amongst those electors in such manner as he thinks most convenient. . . . ."

a certificate given in the prescribed form.—By sect. 41 (11) "prescribed" means prescribed by His Majesty by Order in Council. At the date of going to press the form of certificate here mentioned has not been prescribed.

that polling station shall for the purpose of Rule 18 of Part I. of the First Schedule to the Ballot Act, 1872, be deemed to be the polling station allotted to that elector.—Rule 18 here referred to is as follows:—"No person shall be admitted to vote at any polling station except the one allotted to him."

Right to the use of elementary schools.

25.—(1) A candidate at a parliamentary election (other than a university election) shall be entitled, for the purpose of holding

a public meeting in furtherance of his candidature, to the use at reasonable times between the receipt of a writ for the election and the day of the poll, of a suitable room in any public elementary school situated within the constituency for which he is a candidate: Sect. 25

Provided that this enactment shall not authorise the use of any room used as part of a private dwelling-house nor authorise any interference with the school hours of an elementary day or evening school.

(2) A charge may be made to cover any actual and necessary expenses incurred by the local education authority, or by the managers of the school, in respect of the preparation of the room before the meeting for the purposes of the meeting, and after the meeting for school purposes, and for warming, lighting, and cleaning the room.

(3) If by reason of the use of any room under this Act any damage is done to the school-house, or to the furniture, fittings, or apparatus, the damage shall be defrayed by the person by whom, or on whose behalf, the meeting is convened.

NOTE.—**A candidate at a parliamentary election.**—It is submitted that although the context of these words in the above section is different to that of the similar words in sect. 34 (1) of

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the present Act, the meaning of these words is the same as that which they bear in the latter section (*a*).

between the receipt of a writ for the election and the day of the poll. — See pp. 179, 180, *supra.*

As to sub-section (2), the **charge** referred to must be included in the candidate's election expenses. See below.

As to the words in sub-section (3), **the damage shall be defrayed by the person by whom, or on whose behalf, the meeting is convened.**— It is submitted that "the person . . . on whose behalf . . . the meeting is convened," can only mean the candidate. By sect. 34 (1):—"A person other than the election agent of a candidate shall not incur any expenses on account of holding public meetings . . . for the purpose of promoting or procuring the election of any candidate at a parliamentary election unless he is authorised in writing to do so by such election agent"; and by sect. 34 (3), "any expenses incurred on account of any such purpose as aforesaid and authorised by the election agent of the candidate shall be duly returned as part of the candidate's election expenses." It is submitted, however, that the "damage" mentioned in sect. 25 (3) does not come within sect. 34 (3), and need not be returned as part of the candidate's election expenses (*b*), as such damage does not fall under "expenses incurred on account of . . . such purpose."

(*a*) See pp. 269—270, 272—273, *infra.*
(*b*) See p. 264, *infra.*

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As regards Scotland, the expression **any public elementary school**, in sect. 25 of the present Act, means "any school in receipt of a parliamentary grant" (*c*).

Sect. 25 does not apply to Ireland (*d*).

Deposit by candidates at parliamentary elections.

26.—(1) A candidate at a parliamentary election, or someone on his behalf, shall deposit, or cause to be deposited, with the returning officer, during the time appointed for the election, the sum of one hundred and fifty pounds, and, if he fails to do so, he shall be deemed to be withdrawn within the provisions of the Ballot Act, 1872.

(2) The deposit may be made by the deposit of any legal tender or, with the consent of the returning officer, in any other manner.

(3) If after the deposit is made the candidate is withdrawn in pursuance of the provisions of the Ballot Act, 1872, the deposit shall be returned to the person by whom the deposit was made; and if the candidate dies after the deposit is made, and before the poll is commenced, the deposit, if made by him, shall be returned to his legal personal representative, or, if not made by him, shall be returned to the person by whom the deposit was made.

(*c*) Sect. 43 (10), p. 319, *infra*.
(*d*) Sect. 44 (10), pp. 333—334, *infra*.

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NOTE.—*As to the words in sub-section* (1), **during the time appointed for the election.**—By rule 4 of Part I. of the First Schedule to the Ballot Act, 1872, "the time appointed for the election shall be such two hours between the hours of ten in the forenoon and three in the afternoon as may be appointed by the returning officer, and the returning officer shall attend during those two hours and for one hour after." The hours here referred to are hours of the day which is called in the Ballot Act "the day of election," *i.e.*, the day fixed for receiving nominations (*c*).

shall be deemed to be withdrawn within the provisions of the Ballot Act, 1872.—The provisions here referred to are the following, contained in sect. 1 of the Ballot Act, 1872:—

"A candidate may, during the time appointed for the election, but not afterwards, withdraw from his candidature by giving a notice to that effect, signed by him, to the returning officer: Provided that the proposer of a candidate nominated in his absence out of the United Kingdom may withdraw such candidate by a written notice signed by him and delivered to the returning officer, together with a written declaration of such absence of the candidate."

As to the words in sub-section (3), **If after the deposit is made the candidate is withdrawn in pursuance of the provisions of the Ballot Act, 1872.**—These provisions are those set out immediately above.

(*c*) See Ballot Act, 1872, s. 1, First Schedule, Part I., r. 2, and pp. 179—180, *supra*.

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It should be observed that sect. 26 applies to a university election (*d*).

Forfeiture of deposit in certain cases.

27.—(1) If a candidate who has made the required deposit is not elected, and the number of votes polled by him does not exceed, in the case of a constituency returning one or two members, one-eighth of the total number of votes polled, or in the case of a constituency returning more than two members one-eighth of the number of votes polled divided by the number of members to be elected, the amount deposited shall be forfeited to His Majesty; but in any other case that amount shall be returned to the candidate, where the candidate is elected, as soon as he has taken the oath as a member, and, where the candidate is not elected, as soon as practicable after the result of the election is declared:

Provided that where a candidate is nominated at a general election in more than one constituency he shall in no case recover his deposit more than once, and in such case the deposits shall be forfeited to His Majesty except such one as the Treasury direct to be returned to the candidate.

(2) For the purposes of this section the

(*d*) See sect. 36 (2), p. 279, *infra*.

Sect. 27. number of votes polled shall be deemed to be the number of ballot papers (other than spoilt ballot papers) counted; and where the election is held under the system of the transferable vote the number of votes polled by a candidate shall be the number of votes polled by him as first preferences.

NOTE.—*As to the words in sub-section* (1), **the required deposit.**—As to this, see the preceding section set out on p. 207, *supra*.

the amount deposited shall be forfeited to His Majesty.—It should be noticed that by sect. 36 (3) (c) the deposit of a candidate for a university constituency when forfeited is to be retained by the university (*e*).

As to the words in sub-section (2), **the number of votes polled shall be deemed to be the number of ballot papers (other than spoilt ballot papers) counted.**—As to counting ballot papers, see pp. 182—200, *supra*. As to spoilt ballot papers, see Ballot Act, 1872, First Schedule, rule 28, p. 687, *infra*.

where the election is held under the system of the transferable vote the number of votes polled by a candidate shall be the number of votes polled by him as first preferences.—The elections here referred to are contested elections for university constituencies where there are two or more members to be elected (*f*).

(*e*) See p. 280, *infra*.
(*f*) See sect. 20 (1), p. 155, and pp. 160—161, *supra*.

As to "the system of the transferable vote" and "first preferences," see pp. 158—160, *supra*. Sect. 27.

Returning officers.

28. The returning officer at a parliamentary election (other than a university election) shall, notwithstanding anything in any other Act, be :—

(1) In the case of a parliamentary county which is coterminous with, or wholly contained in, one administrative county, the sheriff;

(2) In the case of a parliamentary borough which is coterminous with, or wholly contained in, a county of a city or town having a sheriff, the sheriff, and in the case of the City of London, the sheriffs;

(3) In the case of a parliamentary borough which is coterminous with, or wholly contained in, one municipal borough (not being a county of a city or town having a sheriff), or one metropolitan borough, or one urban district, the mayor or chairman of the council, as the case requires; and

(4) In any other case, such sheriff, mayor, or chairman, as may be designated for the purpose by the Local Government Board.

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NOTE.—(**other than a university election**).—As to the returning officer at a university election, see pp. 364, 373, *infra*.

Returning officers in Scotland.

By sect. 43 (13) (*g*) of the Act it is provided that sect. 28, set out above, shall not apply to Scotland, and that in lieu thereof the following provisions shall apply:—

"The returning officer at parliamentary elections (other than a university election) shall as heretofore be the sheriff of the sheriffdom within which the constituency is wholly situated or, where the constituency is situated in more than one sheriffdom, the sheriff specified in the Seventh Schedule to this Act" (*h*).

Returning officers in Ireland.

By sect. 44 (10) (*i*) of the Act, sect. 28, set out above, does not apply to Ireland. In Ireland, therefore, the law as to the persons who are to be returning officers remains the same after the passing of the present Act as it was before. Accordingly the following persons are to be returning officers in Ireland:—

In a county, county of a city, or county of a town, the sheriff for such county, county of a city, or county of a town is the returning officer. In a division of any such county, or county of city or town, which is a separate constituency (*j*), the sheriff of such county, county of a city or town is the returning officer.

Where the sheriff is returning officer for more

(*g*) Set out at pp. 321—322, *infra*.
(*h*) See p. 391, *infra*.
(*i*) Set out at pp. 333—334, *infra*.
(*j*) 2 & 3 Will. 4, c. 45, s. 66.

than one county, as defined for the purposes of parliamentary elections—*i.e.*, in counties divided for the purpose of parliamentary representation—he may, by writing under his hand, appoint a fit person to be his deputy for all or any of the purposes relating to an election in any such county, and may, by himself or such deputy, exercise any powers and do any things which the returning officer is authorised or required to exercise or do in relation to such election (*k*).

Where the sheriff of a county dies before the expiration of his year of office or before he is lawfully superseded, the under-sheriff by him appointed shall nevertheless continue in office, and shall, until another sheriff is appointed for the said county and has made the declaration of office, execute the office of sheriff, in the name of the deceased sheriff, and be answerable for the execution of the said office as the deceased sheriff would by law have been if living (*l*).

Where the sheriff of a county of a city, or a county of a town, dies or becomes incapable of performing the duties of his office, the council of the said city or town shall forthwith appoint another fit person to execute the office (*m*).

In municipal boroughs, other than cities and towns being counties of themselves, the mayor is the returning officer (*n*).

(*k*) Ballot Act, 1872, s. 8.
(*l*) Sheriffs Act, 1887, s. 25 (1).
(*m*) *Ibid.* s. 36 (1).
(*n*) 3 & 4 Vict. c. 108, s. 84.

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If, when a mayor is required to act as returning officer, he is absent, or incapable of acting, or there is no mayor, the council must forthwith choose an alderman to be returning officer (*o*).

In boroughs in which there is no mayor and which are not counties of cities or towns, the returning officer is the sheriff of the county in which the whole or greatest part of the borough is situate (*p*).

Whenever from temporary vacancy or some other cause there is no person duly qualified to perform the duties of returning officer for a borough, city, or town, the sheriff of the county in which such place is situate is charged with the execution of the writ, and must do all things incidental to the office of returning officer. He must not receive or execute any writ, however, unless there shall be no person legally qualified and competent to act as returning officer in such borough (*q*).

Payment of returning officers' expenses by Treasury.

29.—(1) The returning officer at a parliamentary election (other than a university election) shall be entitled to his reasonable charges, not exceeding the sums specified in the scale of maximum charges framed under this section, in respect of services and expenses of the several kinds mentioned in the

(*o*) 3 & 4 Vict. c. 108, s. 84.
(*p*) 3 & 4 Vict. c. 108, s. 84; 22 Vict. c. 14, s. 1.
(*q*) 25 & 26 Vict. c. 92, s. 3.

said scale which have been properly rendered or incurred by him for the purposes of or in connexion with the election.

(2) The amount of any such charges shall be paid by the Treasury out of moneys provided by Parliament on an account being submitted to the Treasury in accordance with regulations made under this section; but the Treasury may, if they think fit, before payment apply to the court as defined by this section for the taxation of the account, and the court shall have jurisdiction to tax the account in such manner and at such time and place as the court thinks fit, and finally to determine the amount payable to the returning officer.

On the request of the returning officer for an advance on account of his charges, the Treasury may, if they think fit, and on such terms as they think fit, make such an advance.

(3) Where an application is made for the taxation of a returning officer's account, the returning officer may apply to the court to examine any claim made by any person against him in respect of matters charged in the account; and the court, after notice given to the claimant and after giving him an opportunity to be heard and to tender

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any evidence, may allow or disallow or reduce the claim objected to, with or without costs; and the determination of the court shall be final for all purposes and as against all persons.

(4) The Treasury shall prescribe a scale of maximum charges for the purposes of this section and may revise the scale as and when they think fit, and may also make regulations as to the time when and manner and form in which accounts are to be rendered to them for the purpose of the payment of the charges.

(5) The court for the purposes of this section shall be, as respects an election in the City of London, the Mayor's Court; and elsewhere in England and in Ireland the county court having jurisdiction at the place of nomination for the election to which the proceedings relate; and as regards Scotland "the court" shall mean the Auditor of the Court of Session.'

NOTE.—*As to the words in sub-section* (1), **The returning officer.**—As to who are to be returning officers in England, see the preceding section, pp. 211—214, *supra*, and in Scotland and Ireland, pp. 212—214, *supra.*

It should be observed that by sect. 30 the provisions of sect. 29 apply equally to the acting returning officer (*r*).

(*r*) See pp. 217—218, *infra.*

(**other than a university election**).—As to returning officer at university elections, see pp. 364. 373, *infra*.

scale of maximum charges.—This is the scale referred to in sect. 29 (4). This scale has not, up to the time of going to press, been prescribed.

properly rendered or incurred by him.—Services would be properly rendered and expenses properly incurred by a returning officer if they were rendered or incurred in the fulfilment or course of his duties as returning officer.

As to the words in sub-section (2), **regulations made under this section.**—By sect. 29 (4) the Treasury is empowered to make these regulations, which have not, however, up to the time of going to press, been issued.

the Court as defined by this section.—See sub-section (5) of this section.

As to the words in sub-section (5), **the place of nomination.**—As to this, see Ballot Act, 1872, First Schedule, rules 1, 2, pp. 682—683, *infra*, and sect. 32 of the present Act, pp. 222—223, *infra*.

Discharge of returning officers' duties by an acting returning officer.

30. Except as herein provided the duties of returning officer at parliamentary elections (other than a university election) shall be discharged by the registration officer as acting returning officer, and the acting returning officer shall have all the powers,

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duties, rights and liabilities of the returning officer under any enactments relating to parliamentary elections, and those enactments (including this Act) shall have effect accordingly and the acting returning officer shall have power to appoint deputies.

This section shall not apply to any duties which the returning officer reserves to himself and undertakes to perform in person.

Any appointment of a deputy by the acting returning officer shall be subject to the approval of the Local Government Board.

A returning officer at a parliamentary election shall not, if all his duties are discharged by the acting returning officer, be disqualified by reason of being returning officer for being a candidate at the election.

NOTE.—**Except as herein provided.**—These words refer to the second paragraph of this section, *i.e.* to the case where a returning officer reserves to himself and undertakes to perform in person the duties of returning officer.

(**other than a university election**).—As to the duties of returning officers at university elections, see pp. 364—371, 373—382, *infra*.

the registration officer.—See pp. 130—131, *supra*.

This section shall not apply to any duties which the returning officer reserves to himself

and undertakes to perform in person.—The effect of these words is to give the returning officer the right to reserve to himself and undertake to perform in person all or some of the duties of a returning officer, and in the event of his exercising such right, the provisions of this section as to the discharge of the returning officer's duties by the acting returning officer have no application to the duties so reserved.

A returning officer at a parliamentary election shall not, if all his duties are discharged by the acting returning officer, be disqualified by reason of being returning officer for being a candidate at the election.—These words remove from a returning officer, all of whose duties are discharged by the acting returning officer, the disqualification which previous to the passing of this Act (*u*) attached to a returning officer by reason of his office. These words therefore also remove the disqualification which formerly attached to a sheriff from being a candidate for the county or borough of which he was sheriff, since this disqualification was the consequence, not of his being sheriff, but returning officer (*x*).

Sect. 30 does not apply to Scotland, and in lieu thereof sect. 43 (13) (*y*) makes special provision as to Scotland.

(*u*) *Thetford*, 9 Journal, 725; *Wakefield*, B. & Aust. 295.

(*x*) *Rutland* (1601), Dalton, 332; *Coke's Case* (1625), 2 Whitelocke, 357; *R.* v. *Owens* (1859), 2 E. & E. 91; *Tralee*, 28 L. R. Ir. 10.

(*y*) See pp. 321—322, *infra*.

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Since sect. 30 does not apply to Scotland, the existing disqualification of returning officers from being candidates at parliamentary elections (*z*) is unaffected as regards Scotland.

Sect. 30 set out above has no application to Ireland (*a*), and therefore, as in the case of Scotland, the existing disqualification of returning officers from being candidates at parliamentary elections continues. See pp. 212—214, *supra*, as to returning officers and deputy returning officers in Ireland.

Division of constituency into polling districts, and appointment of polling places.

31.—(1) It shall be the duty of the council whose clerk is the registration officer for any constituency or by whom the registration officer is appointed, as occasion requires, to divide the constituency into polling districts, and to appoint polling places for the polling districts, in such manner as to give to all electors in the constituency such reasonable facilities for voting as are practicable in the circumstances :

Provided that, before dividing any constituency in the administrative county of London into polling districts, the authority therefor shall send a draft of any scheme for that purpose to the London County Council, and shall take into consideration any representations made to them by that Council.

(*z*) *Thetford*, 9 Journal, 725 ; *Wakefield*, B. & Aust. 295.
(*a*) Sect. 44 (10), pp. 333—334, *infra*.

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(2) If a local authority, or not less than thirty electors, in a constituency make a representation to the Local Government Board that the polling districts or polling places do not meet the reasonable requirements of the electors in the constituency, or any body of electors, the Local Government Board shall consider the representation, and may, if they think fit, direct the council whose duty it is to divide the constituency into polling districts to make such alterations as the Board think necessary in the circumstances, and if the council fail to make those alterations within a month after the direction is given may themselves make the alterations, and any alterations so made shall have effect as if they had been made by the council.

In this provision the expression "local authority" means as respects any constituency the council of any county, borough, urban or rural district, or parish wholly or partly situate in the constituency, or the parish meeting of any parish so situate where there is no parish council.

(3) On the exercise of any powers given by this section the council by whom the powers are exercised shall send to the Local Government Board a report, and publish in the constituency a notice, showing the boun-

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daries of any polling districts or the situation of any polling places constituted as a result of the exercise of the power.

(4) An election shall not be questioned by reason of any non-compliance with the provisions of this section or any informality relative to polling districts or polling places.

(5) This section shall not apply to university constituencies.

(6) Nothing in this section shall affect any polling districts or polling places constituted before the passing of this Act until occasion arises for the exercise of the powers given by this section.

NOTE.—*As to the words in sub-section* (1), **the council whose clerk is the registration officer for any constituency or by whom the registration officer is appointed**, see sect. 12 (2) and (4), pp. 130, 131, *supra*.

In its application to Scotland, sect. 31 is subject to the provisions of sect. 43 (17), which is set out at p. 323, *infra*.

In its application to Ireland, sect. 31 is to be read subject to the modifications enacted in sect. 44 (9) (a), (b) and (c). See pp. 332—333, *infra*.

Place of election.

32. The place of election shall be fixed for each constituency (other than a university constituency) by the returning officer, and shall be—

(a) if the constituency is a parliamentary

borough, or a division of a parliamentary borough, some place within the borough; and

(b) if the constituency is a parliamentary county, or a division of a parliamentary county, some place within the county or within a parliamentary borough adjoining the county.

NOTE.—This section does not apply to Scotland, but by sect. 43 (16), set out at p. 323, *infra*, the provisions of that sub-section are substituted for sect. 32. Sect. 32 does not apply to Ireland (*a*).

Scale of election expenses.

33.—(1) The provisions set out in the Fourth Schedule to this Act shall be substituted for Part IV. and paragraph (3) of Part V. of the First Schedule to the Corrupt and Illegal Practices Prevention Act, 1883 (which relate to the maximum scale of election expenses), and that Act shall have effect accordingly.[1]

(2) Any candidate at a parliamentary election[2] shall, subject to regulations of the Postmaster-General,[2] be entitled to send, free

[1] See pp. 224—264, *infra*.

[2] See p. 265, *infra*.

(*a*) See sect. 44 (10), pp. 333—334, *infra*.

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of any charge for postage, to each registered elector for the constituency, one postal communication containing matter relating to the election only, and not exceeding two ounces in weight:

Provided that a candidate shall not be entitled to exercise the right of free postage conferred by this provision before he is duly nominated,[3] unless he has given such security as may be required by the Postmaster-General for the payment of postage in case he does not eventually become nominated.

For the purpose of this provision candidates who are, under paragraph (4) of Part V. of the First Schedule to the Corrupt and Illegal Practices Prevention Act, 1883,[4] deemed to be joint candidates at an election shall be treated as a single candidate.

NOTE.—The First Schedule to the Corrupt and Illegal Practices Act, 1883, with the substitutions in Parts IV. and V. required by sub-sect. (1) above, is as follows (the provisions set out in the Fourth Schedule to this Act, which contain these substitutions, being printed in italics):—

"PART I.—PERSONS LEGALLY EMPLOYED FOR PAYMENT.

"(1.) One election agent and no more.

"(2.) In counties one deputy election agent (in

[3] See pp. 265—269, *infra*.

[4] See pp. 229—230, *infra*.

this Act referred to as a sub-agent) to act within each polling district and no more. Sect. 33.

"(3.) One polling agent in each polling station and no more.

"(4.) In a borough one clerk and one messenger, or if the number of electors in the borough exceeds five hundred, a number of clerks and messengers not exceeding in number one clerk and one messenger for every complete five hundred electors in the borough, and if there is a number of electors over and above any complete five hundred or complete five hundreds of electors, then one clerk and one messenger may be employed for such number, although not amounting to a complete five hundred.

"(5.) In a county for the central committee room one clerk and one messenger, or if the number of electors in the county exceeds five thousand, then a number of clerks and messengers not exceeding in number one clerk and one messenger for every complete five thousand electors in the county; and if there is a number of electors over and above any complete five thousand or complete five thousands of electors, then one clerk and one messenger may be employed for such number, although not amounting to a complete five thousand.

"(6.) In a county a number of clerks and messengers not exceeding in number one clerk and one messenger for each polling district in the county, or where the number of electors in a polling district exceeds five hundred one clerk and one messenger for every complete five hundred

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electors in the polling district, and if there is a number of electors over and above any complete five hundred or complete five hundreds of electors, then one clerk and one messenger may be employed for such number, although not amounting to a complete five hundred: Provided always, that the number of clerks and messengers so allowed in any county may be employed in any polling district where their services may be required.

* "(7.) Any such paid election agent, sub-agent, polling agent, clerk, and messenger may or may not be an elector, but may not vote.*

† "(8.) In the case of the boroughs of East Retford, Shoreham, Cricklade, Much Wenlock, and Aylesbury, the provisions of this part of this schedule shall apply as if such borough were a county.†

"PART II.—LEGAL EXPENSES IN ADDITION TO EXPENSES UNDER PART I.

‡ "(1.) Sums paid to the returning officer for his charges not exceeding the amount authorised by the Act 38 & 39 Vict. c. 84. ‡

"(2.) The personal expenses of the candidate.

"(3.) The expenses of printing, the expenses

* This paragraph is repealed by sect. 9 (4) (p. 115, *supra*), sect. 47 (1) (p. 337, *infra*), and the Eighth Schedule (p. 398, *infra*) of the present Act.

† By virtue of the Redistribution of Seats Act, 1885, s. 2 and First Schedule, Part I., these boroughs have ceased to exist, and although that Act has been repealed by the present Act, these boroughs have not been granted separate representation under the redistribution effected by the present Act.

‡ This paragraph is repealed by the present Act. See sect. 47 (1), p. 337, and Eighth Schedule, p. 398, *infra*.

of advertising, and the expenses of publishing, issuing, and distributing addresses and notices.

"(4.) The expenses of stationery, messages, postage, and telegrams.

"(5.) The expenses of holding public meetings.

"(6.) In a borough the expenses of one committee room, and if the number of electors in the borough exceeds five hundred then of a number of committee rooms not exceeding the number of one committee room for every complete five hundred electors in the borough, and if there is a number of electors over and above any complete five hundred or complete five hundreds of electors, then of one committee room for such number, although not amounting to a complete five hundred.

"(7.) In a county the expenses of a central committee room, and in addition of a number of committee rooms not exceeding in number one committee room for each polling district in the county, and where the number of electors in a polling district exceeds five hundred one additional committee room may be hired for every complete five hundred electors in such polling district over and above the first five hundred.

"Part III.—Maximum for Miscellaneous Matters.

"Expenses in respect of miscellaneous matters other than those mentioned in Part I. and Part II. of this schedule not exceeding in the whole the maximum amount of two hundred pounds, so

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nevertheless that such expenses are not incurred in respect of any matter or in any manner constituting an offence under this or any other Act, or in respect of any matter or thing, payment for which is expressly prohibited by this or any other Act.

"PART IV.—MAXIMUM SCALE.

"*The expenses mentioned above in Parts I., II., and III. of this schedule, other than personal expenses and the fee, if any, paid to the election agent (not exceeding in the case of a county election seventy-five pounds and in the case of a borough election (c) fifty pounds, without reckoning for the purposes of that limit any part of the fee which may have been included in the expenses first above mentioned) shall not exceed an amount equal—*

in the case of a county election, to sevenpence for each elector on the register;

in the case of an election for a borough, to fivepence for each elector on the register (d).

"PART V.—GENERAL.

* "(1.) In the case of the boroughs of East Retford, Shoreham, Cricklade, Much Wenlock, and Aylesbury, the provisions of Parts II., III. and IV. of this schedule shall apply as if such borough were a county.*

"(2.) For the purposes of this schedule the

(c) The words "borough election" would appear to include an election for a university constituency. See p. 281, *infra*.

(d) These words in italics are part of the Fourth Schedule to the present Act, set out at p. 363, *infra*. See sect. 33 (1), p. 223, *supra*.

* See footnote (†) on p. 226, *supra*.

number of electors shall be taken according to the enumeration of the electors in the register of electors.

"(3.) *Where there are two or more joint candidates at an election the maximum amount of expenses mentioned in Parts III. and IV. of this schedule shall, for each of the joint candidates, be the amount produced by multiplying a single candidate's maximum by one-and-a-half and dividing the result by the number of joint candidates* (*f*).

"(4.) Where the same election agent is appointed by or on behalf of two or more candidates at an election, or where two or more candidates, by themselves or any agent or agents, hire or use the same committee rooms for such election, or employ or use the services of the same sub-agents, clerks, messengers, or polling agents at such election, or publish a joint address or joint circular or notice at such election, those candidates shall be deemed for the purposes of this enactment to be joint candidates at such election.

" Provided that—

"(a) The employment and use of the same committee room, sub-agent, clerk, messenger, or polling agent, if accidental or casual, or of a trivial and unimportant character, shall not be deemed of itself to constitute persons joint candidates.

"(b) Nothing in this enactment shall prevent candidates from ceasing to be joint candidates.

(*f*) See footnote (*d*) on preceding page.

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"(c) Where any excess of expenses above the maximum allowed for one of two or more joint candidates has arisen owing to his having ceased to be a joint candidate, or to his having become a joint candidate after having begun to conduct his election as a separate candidate, and such ceasing or beginning was in good faith, and such excess is not more than under the circumstances is reasonable, and the total expenses of such candidate do not exceed the maximum amount allowed for a separate candidate, such excess shall be deemed to have arisen from a reasonable cause within the meaning of the enactments respecting the allowance by the High Court or election court of an exception (*f*) from the provisions of this Act which would otherwise make an act an illegal practice, and the candidate and his election agent may be relieved accordingly from the consequences of having incurred such excess of expenses."

In order to understand the meaning and effect of sect. 33 of the present Act and the First Schedule to the Corrupt and Illegal Practices Act, 1883, as altered by such section, it is neces-

(*f*) See sect. 23 of the Corrupt and Illegal Practices Act, 1883, under which the Court has power to except an expenditure in excess of the maximum from being an illegal practice.

sary to notice sect. 8 of the Corrupt and Illegal Practices Act, 1883, which is as follows:— Sect. 33.

"(1.) Subject to such exception (*g*) as may be allowed in pursuance of this Act, no sum shall be paid and no expense shall be incurred by a candidate at an election or his election agent, whether before, during, or after an election, on account of or in respect of the conduct or management of such election, in excess of any maximum amount in that behalf specified in the First Schedule to this Act.

"(2.) Any candidate or election agent who knowingly acts in contravention of this section shall be guilty of an illegal practice."

Sect. 33 of the present Act deals with the maximum amount which a candidate is allowed to spend on election expenses by referring to the First Schedule to the Corrupt and Illegal Practices Act, 1883, and incorporating in that Schedule certain new provisions in substitution for existing provisions therein. For the sake of completeness and clearness it may be useful to deal generally in the present Note with the subject-matter of that Schedule.

The maximum amount which a candidate at a parliamentary election can legally spend must be calculated according to the scale set forth in Part IV. (as altered (*h*) by the present Act) of the First Schedule to the Corrupt Practices Act, 1883, which is set out on p. 228 above.

The expenses in respect of which this maximum

(*g*) See sect. 23 of the Corrupt and Illegal Practices Act, 1883.

(*h*) See sect. 33 (1) of the present Act, p. 223, *supra*.

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amount can be legally incurred are those mentioned in Parts I., II. and III. (*g*), excluding from such maximum amount personal expenses (*h*), the additional fee if any paid to the election agent (*i*), and the expenses of conveying voters by sea in order to reach the polling place if such conveyance is necessary (*j*).

It should be remembered that the amount not exceeding 200*l.* allowed under the heading of miscellaneous expenses in Part III. (*k*) of the First Schedule to the Corrupt Practices Act, 1883, must be reckoned as part of the maximum amount calculated according to the scale in Part IV. (*l*).

The personal expenses which are allowed to be excluded from the maximum amount are "personal expenses incurred by him (the candidate) on account of or in connexion with or incidental to (the) election to an amount not exceeding one hundred pounds" (*m*).

The additional fee, if any, paid to the election agent, apart from any fee included in the expenses mentioned in Parts I., II. and III. (*g*) of the First Schedule, must not exceed in the case of a county election 75*l.*, and in the case of a borough election 50*l.* (*l*).

As to Part I. of the First Schedule to the Corrupt Practices Act, 1883 (set out at pp. 224—226,

(*g*) Set out on pp. 224—228, *supra*.

(*h*) Part II. (2) and Part IV. of First Schedule to Corrupt Practices Act, 1883, set out on pp. 226 and 228, *supra*.

(*i*) Part IV., p. 228, *supra*.

(*j*) Corrupt Practices Act, 1883, s. 48.

(*k*) Set out on pp. 227—228, *supra*.

(*l*) See Part IV. set out at p. 228, *supra*.

(*m*) Corrupt Practices Act, 1883, s. 31 (1); see also *ibid.* s. 64.

supra), "*Persons legally employed for payment.*"— In addition to the persons here referred to, a candidate may legally employ any person whose employment arises in consequence of the candidate incurring any of the expenses authorised (1) under Part II. (*n*) of the First Schedule to the Corrupt Practices Act, 1883, unless such employment is otherwise prohibited, or (2) under sect. 48 of that Act in the conveyance of voters by sea in the cases specified in such section. Sect. 33.

Where a county or borough is divided, each division is considered a separate constituency (*o*).

If the candidate employs any person for payment other than those mentioned above, he is guilty of an illegal practice (*p*), and if elected his election will be void (*q*). Further, on summary conviction he is liable to a fine of 100*l.* (*r*), and if reported guilty by an election court is incapable for seven years of being elected to or sitting in the House of Commons for the county or borough within which the illegal practice has been committed (*q*), and in both cases (*q*) he is also incapable for five years of being registered as an elector, or voting at any parliamentary election, or election for a public office (*s*), held for or within the county or borough

(*n*) Set out on pp. 226—227, *supra*.
(*o*) Sect. 37 (1) (2), and sect. 41 (1), pp. 282 and 305 respectively.
(*p*) Corrupt Practices Act, 1883, s. 21 (2).
(*q*) *Ibid.* s. 11.
(*r*) *Ibid.* ss. 10, 43 (4).
(*s*) *Ibid.* s. 64.

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within which the illegal practice has been committed.

Where a person is primarily employed in one capacity he is not prohibited from doing work in another capacity, provided that the employment is not a device for evading the Corrupt Practices Act. Thus, in *Elgin and Nairn* (*t*) it was proved that M. had been appointed one of the respondent's polling agents, and had been paid seventeen guineas for his services. M. was acquainted with most of the voters in the district, and he admitted that both on the polling day and previous to it he had urged voters to vote. Counsel contended that M. was substantially a sub-agent, and that his appointment was a breach of sect. 17 of the Act of 1883. The Court decided against this contention, and in giving judgment Lord McLaren said (*u*): "The objection is, not that the total number of salaried agents authorised by the statute was exceeded, but that while, *ex facie* of the letters of appointment, Mr. G. had no more agents of the various classes than the statute authorised, yet the persons were employed and paid nominally in one capacity, but with the intention, and, I suppose, under contract, that they should render services in another capacity. Now, the enactment that is said to have been violated is sect. 17 of the Act of 1883, and that section prohibits the engagement or the employment for payment for any purpose or in any capacity, except for any pur-

(*t*) (1895), 5 O. & H. 13, 14.
(*u*) *Ibid.* at pp. 13, 14, 15.

poses or capacities mentioned in the First and Second Schedules thereof; the persons who may be employed as enumerated in the Schedule are an election agent, who has the supervision of the candidate's affairs generally, and then for each district there may be a sub-agent, a polling agent, a clerk, and a messenger. The duties of these officers are not very strictly defined. I do not think there is any definition of the duties of a sub-agent, but it sufficiently appears that he is a person through whom payments may be made at the request of the principal agent. In all other respects his agency seems to be perfectly general . . . a polling agent is a person who is to represent a candidate in the polling booth to detect personation. . . . The general and leading purpose, I think, of sect. 17 is to keep down expenditure by prohibiting the employment of a larger number of persons than are mentioned in the Schedule. It may very well be that the clause would also prohibit the employment for money of an agent to perform additional duties to those which are indicated by his name or by his description; but in order to invalidate an election because an agent has performed duties additional to those for which he is expressly engaged, it would be necessary, at least, that we should have a case very clearly proved; and it is evident that it would always be extremely difficult to establish a case of that description of colourable employment of a man in one capacity, in order that he might perform duties in another capacity . . . Sect. 33.

Sect. 33. as I read the Election Acts, the employé is in no way inhibited from using his personal exertions as an elector to influence the votes of other electors; nor, so far as I see, is there any restriction on the right of a paid agent or officer to render services to the candidate such as he may think fitting, except that he cannot be employed in the payment of election expenses unless he is the sub-agent."

In *Lichfield* (*x*) Pollock, B., said: "It was fairly admitted by counsel that some of the persons who were employed as clerks had acted as canvassers. The question, therefore, is whether that was done honestly or was culpable. It is not because a man, who is employed to act as a clerk for only part of the day, or for some possibly trivial or small matters, such as the directing of envelopes, or what-not; it is not because he occupies that time which is his own that he is to be robbed of the ordinary right of a citizen to go about and take an interest in an election where he cares for the politics involved, and to canvass. The question, therefore, in this case, as in others, is: Was there a canvassing either by the direct direction of the sitting member or his agent, or by their knowledge, in the sense that they not merely knew that there was canvassing done, in fact, . . . but that the canvassing was such that the fair assumption would be that it was illegal? As to that I entirely agree with the judgment in the *Elgin* case (*y*)."

(*x*) (1895), 5 O. & H. at pp. 28, 29. (*y*) *Ibid.* p. 13.

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Where persons are bonâ fide employed in a manner not forbidden by the law, *e.g.* to take out and deliver bills, this will not make them messengers. On the other hand, if their employment in regard to the bills is a mere device to evade the provisions of the Corrupt Practices Act as to the number of messengers who may be employed, the employment would be illegal. The same observations apply to the employment of persons who are legally employed for any purpose, and who happen to be employed to do the copying work. This does not make them clerks unless the employment is colourable, and for the purpose of evading the Act.

In the words of Cave, J., in *Pontefract* (*z*): "The number of clerks, that is to say, the persons who attend upon the committee, is limited. The number of messengers who are supposed to go on messages from one committee room to another, or to fetch a particular individual who happens to be wanted, is also limited. On the other hand, mere clerical work has not in every case to be done by clerks; but obviously, if they have other duties, you may employ persons who give themselves out for doing clerical work to do it, and the mere fact that they are employed to do clerical work, writing addresses, copying out documents, or things of that kind, does not at all, in my judgment, necessarily make them clerks; nor again, if other persons are employed to take out and deliver bills, does that make them, in my

(*z*) (1893), Day's Election Cases, pp. 129, 130.

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judgment, messengers. In both these cases, no doubt, if there is only colourable employment of these people, if there is an intention of evading the Act, it would bring the offender at once within its provisions."

Canvassing, handbills, addresses, and notices.

In *Stepney Division* (*a*), in the recriminatory case, it was proved that about twenty men were employed by the petitioner's agent to distribute on the polling day in the neighbourhood of the polling stations handbills, twelve inches long by eight inches broad, headed, "Stepney Election, Thursday, November 26. From 8 a.m. to 8 p.m. Facts worth remembering at the poll." Then followed six paragraphs containing certain statements about the qualifications of the petitioner to be elected, and concluding thus: "Mr. I. will be the winning candidate if his friends will poll early and mark their voting papers thus." Then followed a copy of the ballot paper with the respondent's name in very small letters, and the petitioner's name in very large letters, with a X after it. Denman, J., said that these bills would be most appropriately described as "canvassing handbills," but the judges were divided in opinion as to whether it was an illegal practice or expense to distribute bills of this kind.

In *Barrow-in-Furness* (*b*), the respondent and his agent had incurred expense and employed people in distributing, posting, or printing documents, which included a letter written by a distinguished

(*a*) (1886), 4 O. & H. 52.
(*b*) *Ibid.* 76.

statesman to an alderman of the borough and notices "Vote for Duncan"; and the Court, having regard to other parts of the Corrupt Practices Act, 1883, such as sect. 18, held that such expense was not illegal, and that such documents were "addresses and notices" under Part II. of the First Schedule. The Court intimated, however, that offensive pictures and statements might be illegal. Sect. 33.

In *Finsbury* (*c*) counsel for the petitioner objected to the votes of two persons as having been employed by the respondent as bill-posters. It appeared that the men carried on business as bill-posters, and contracted with the respondent to post bills on his behalf. Cave, J., said (*d*): "If the work is of a kind which can be done for both parties it does not disqualify. These men were not engaged in an employment requiring personal service, and which, therefore, could not be rendered to both sides at the same time. They were bill-posters, and were not bound to go and post bills with their own hands. They might post them themselves if they liked, or might employ men, as they in fact did, to post them. It is all a question for the contractor how he will fulfil his contract, and he is not bound to abstain from posting the bills himself if he likes to do so." Vaughan Williams, J., said (*e*): "In 30 & 31 Vict. c. 102, s. 11, the disqualifying words are Bill posters.

(*c*) (1892), 4 O. & H. 176.
(*d*) *Ibid.* 177.
(*e*) *Ibid.*

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'agent, canvasser, clerk, messenger, or other like employment.' That means an employment *ejusdem generis*, and I do not think these gentlemen were employed in any employment of that kind."

Payment of canvassers.

The payment of canvassers is an illegal payment, and if, under the guise of canvassing for registration, men are sent out by the candidate, his election agent, or sub-agent, to canvass for the election and are paid for such canvassing, this would be an illegal practice, which would consequently make the election void (*f*).

In *Rochester* (*g*) Cave, J., said: "No less than 300 persons of the lower class of voters have been employed going about with what purports to be a canvassing book, but which appears to have been employed for registration purposes. If they were all paid at 5*s*., as, admittedly, the man Knight was paid, if they did no more work than Knight did, I should have very little hesitation in coming to the conclusion that the whole of that employment was collusive, and that that was a case of bribery on a very extensive scale. Fortunately for the respondent, that is not the way in which it was put before us in the particulars."

No illegal act is committed, however, if there is only that species of canvassing which is connected with registration, and not that kind of canvassing which attends upon an election (*h*).

(*f*) Per Cave, J., in *Stepney* (*Borough*) (1892), Day's Election Cases, 119. See also p. 236, *supra*.

(*g*) (1892), Day's Election Cases, 102—103.

(*h*) Per Cave, J., in *Stepney* (*Borough*) (1892), Day's Election Cases, 119.

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Employment of persons to keep order.

In *Ipswich* (*i*) it was held illegal to hire persons to keep order at meetings. On the other hand, "there can be no objection to the employment of unpaid volunteers to put down disturbances, and where any serious disorder is apprehended it may be a wise proceeding to swear in such volunteers as special constables" (*k*).

"If a man were so obnoxious to his fellows that they could not resist the desire to fall upon him and do him an injury whenever they met him, even if it were at a public meeting at which they would otherwise have behaved themselves in an orderly manner, he would not be guilty of an illegal practice if he were to pay men to protect him" (*l*).

Payment may be in kind.

In *Barrow-in-Furness* (*m*) it was proved that at a meeting summoned by the election agent for the respondent, at which about 400 persons were present, it was agreed, with the sanction of the respondent and the election agent, to provide refreshments on the polling day, at the expense of the respondent, to 441 persons who were designated "workers," and who were to take an active part in the election on behalf of the respondent. Of the persons who partook of the refreshment 226 were voters. The refreshments consisted of a pork pie, a sandwich, and a cup of coffee for each person, and were distributed in the various committee rooms.

(*i*) (1886), 4 O. & H. 74.
(*k*) *Ibid.* per Cave, J.
(*l*) *Ibid.* 72, 73.
(*m*) *Ibid.* 78, 79.

Sect 33. The Court held that there had been illegal payment within the meaning of sect. 17 of the Corrupt Practices Act, and, as the employment was by the respondent and his election agent, that there had been an illegal practice, and the election was therefore declared void.

As to Parts II. and III. (m) of the First Schedule to the Corrupt Practices Act, 1883, *and the general principles as to what constitute election expenses.*—As was indicated above (*n*), the First Schedule to the Corrupt and Illegal Practices Act, 1883, must be read with sect. 8 (*o*) of that Act. In that section occur the words, "expenses incurred on account of or in respect of the conduct or management of such election."

What, then, do these words include? First, in order to understand their meaning, it is necessary to know when the election begins and when it ends.

As to the question When does the election begin? the Courts have consistently refused to lay down any definite rule on the point. Each case must be considered with reference to its particular circumstances (*p*). The Court will take into consideration the whole of the facts, the nature, extent, and amount of the work done, and of the expenses incurred; the question how far the operations of the candidate were continuous up

(*m*) Set out on pp. 226—228, *supra*.

(*n*) See pp. 230—231, *supra*.

(*o*) Set out at p. 231, *supra*.

(*p*) See the observations of Lawrance, J., and Pickford, J., in *East Dorset* (1910), 6 O. & H. at pp. 39, 40, and pp. 49, 50, respectively.

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to the election or were intermittent; and, above all, whether the evidence goes to show that everything has been done in good faith, or whether, on the other hand, it shows an attempt to evade the Corrupt Practices Act.

"It is impossible to say that only those expenses are to be returned which are incurred after the writ is issued. The time which elapses in many cases between the issue of the writ and the date of the election (*q*) is too short to admit of the necessary preparations being made for conducting the election, and it is absolutely essential that preparations of that kind should be begun and expenses should be incurred in anticipation of the issue of the writ. There is nothing in the Act which forbids expenses being incurred before the issue of the writ; there is nothing in the Act which forbids the candidate to incur such expenses. The Act, no doubt, requires that they should be paid by the election agent, and so long as they are paid by the election agent it does not require that they should in all cases be incurred by him" (*r*).

"For some reason, good or bad," said Lord Kyllachy in *Elgin and Nairn* (*s*), "the Legislature has confined the enactment to expenses which can be attributed to the 'conduct and management of the election'; and these words, as it seems to me, at least suggest and contemplate an election, which is not *in nubibus*, but is reasonably imminent. . . .

(*q*) See pp. 179—180, *supra*.
(*r*) Per Cave, J., in *Rochester* (1892), 5 O. & H. at p. 159.
(*s*) (1895), 5 O. & H. at pp. 10, 12.

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Accordingly, while I think that the Act indicates plainly enough the kind of period which it contemplates, it contains nothing in the shape of hard-and-fast definition; and, that being so, I apprehend the result is that it is left to us, as election judges, and it becomes our duty, to consider each case with respect to its own facts, and to say in each case whether or not special circumstances exist requiring us to hold that the election began prior to what I may call the normal period. In considering that question I apprehend we are to have regard to the whole facts—the nature of the work done, and of the expenses incurred; the extent and amount of that work, and of those expenses; the question how far the operations of the candidate were continuous up to the election or were intermittent, taking the shape merely of periodical visits to the constituency. Above all, we are, I apprehend, to have regard to this, whether we have before us evidence of any attempt to evade the Act—evidence, for example, of profuse expenditure purposely antedated, so as to escape the Act; or whether, on the other hand, everything appears to have been done in good faith, and in ordinary course, the pre-election operations and pre-election expenditure being on the whole fair and reasonable—that is to say, fair and reasonable, having regard to the position of the candidate and the character of the constituency."

In the same case, Lord McLaren said (*r*):—

"'Conduct or management of such election'

(*r*) (1895), 5 O. & H. at pp. 5, 6.

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means a definite election within the knowledge and contemplation of the parties who are engaged in conducting and managing it. . . . Again, there may be a case of an unexpected death vacancy, where an election could not be in the thoughts of the people, until the vacancy occurred; but there may be intermediate cases, and the late general election sufficiently illustrates my meaning—the case where there is a vote in the House of Commons adverse to the Ministry, and where from the moment when that vote is announced everyone is looking forward to a dissolution of Parliament, with a view to determining whether the Government of the day is to continue to enjoy the confidence of the country. I should certainly hold that from that time the election had begun in the sense of the sections we are considering. I do not say that it may not be begun at an even earlier period. If, for example, a candidate, not proceeding upon any public and patent facts, but trusting to his own political sagacity and looking round the political horizon, thinks that an election is imminent, and proceeds to institute what is called a canvass of the constituency, which he continues without intermission down to the election, it may very well be that in such a case his own judgment as to when it is necessary to attend to his electoral interests shall be taken as fixing the commencement of that particular election. I think I have said enough to indicate that in the view of the statute which I adopt, it is impossible to lay down any definite term or to

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deal with this otherwise than as a question of fact in which the general political history of the period and the conduct of the individual candidate are both to be taken into account."

In a subsequent case, Pollock, B., said(*s*), after referring to this judgment:—"I entirely agree with Lord McLaren when he said that what is meant by an election is a definite election within the knowledge and contemplation of the parties. . . ."

"I think," said Hawkins, J., in *Walsall*(*t*), "the limit of time to which we ought to apply our minds is a period commencing from the time when it was first known that the respondent announced his intention to present himself as a candidate for election at the next ensuing election."

"As soon as a candidate begins to hold meetings in the constituency to advance his candidature—in other words, as soon as he begins to take measures to promote the election—the election commences. . . . I therefore hold," said Bruce, J., in *Lichfield*(*u*), "that the expenses of that meeting, and the expenses incurred after that date to promote Mr. F.'s candidature, were election expenses, and that there was a neglect to comply with the requirements of the statute in not returning those expenses."

(*s*) *Lichfield* (1895), 5 O. & H. at p. 35.

(*t*) (1892), 4 O. & H. at p. 125; approved by Pollock, B., in *Lichfield* (1895), 5 O. & H. p. 36.

(*u*) (1895), 5 O. & H. at pp. 37, 38.

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In *Lancaster*(*x*), a year later, Pollock, B., said:—

"I must say, with all who have gone before me, in giving judgment upon this point, the statute does not state when the election begins. It says many things as to the appointment of an agent and the incurring of election expenses, which might point, with the words 'or management of the election,' to this meaning—that the election did not commence until there was an actual election, and an election agent actually appointed; but the judges have not accepted that construction. The judges have very properly rejected it, and they have said, 'We can go behind that and start from an earlier date'; but still it is entirely a matter, I will not say of discretion, but of sound judgment, to say how far you may go back. . . . Now, I want to say one word about the case we had before us the other day at Lichfield, because we found there that the election had commenced at some period many weeks, at any rate, before the election itself. But we found that fact because a person who was an absolute stranger to the district, who lived at a distance, but who had a considerable command of money, commenced his connection with the district by sending forward an agent, by providing large inordinate sums of money to one or two political institutions and clubs, by running a newspaper, and more than one newspaper, at his own expense, and then, when that had been so for a certain time, coming himself and saying, 'I am your

(*x*) (1896), 5 O. & H. at pp. 45, 46.

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candidate.' I hold, and I should always hold, when a man puts himself in that position, although it may be some time before the election, that he cannot be heard to say that the election has not begun."

In the same case (*y*) Bruce, J., laid down the law as follows:—

"No definition and no definite rule can be laid down as to the time when an election begins. The Legislature has not fixed any definite period, and I think it is not for the judges to attempt to lay down a general definition which the Legislature has carefully avoided doing. I conceive that Lord Kyllachy, in the late Scotch case, *Elgin and Nairn* (*z*), laid down the true rule when he said, 'I apprehend that the result is that it is left to us as election judges, and it becomes our duty, to consider each case with respect to its own facts, and to say in each case whether or not special circumstances exist requiring us to hold that the election began prior to what I may call the normal period'; and so Lord McLaren says, 'It is impossible to lay down any definite term or to deal with this otherwise than as a question of fact, in which the general political history of the period and the conduct of the individual candidate are both to be taken into account.' And so Hawkins, J., in the *Walsall* case (*a*), 'The commencement of agency must be determined in each case

(*y*) (1896), 5 O. & H. at pp. 50, 51.
(*z*) (1895), 5 O. & H. at p. 12.
(*a*) (1892), 4 O. & H. at p. 125.

by the particular circumstances of the case.' . . . But the limit of time is not the only question to be considered. Even after a person has become a candidate, he is only liable to return expenses incurred in the conduct or management of the election. The question of the time of the commencement of the candidature is only one element to be considered." Sect. 33.

In *East Dorset* (*b*), Pickford, J., when dealing with the question of election expenses, said:— "That depends upon when did the election begin, and what was the nature of the expenses? I have done my best . . . to find some principle that could be laid down; but I do not think it is possible to find one, and I find myself bound to say, as the other judges have said in many other cases, that we must look to the facts of the particular case. When you once get beyond what was suggested by a learned judge (*c*), that you must look at the date of the issue of the writ and the appointment of the election agent—when you once get past that (and that has been rejected over and over again) it must be a question of fact and degree in every case."

"To my mind," said Cave, J., in *Norwich* (*d*), "there is a great distinction between the expenses of getting a candidate and the expense of promoting his election after you have got him. If the primary and direct and real object is to get a candidate, I think that the expenses incurred in

(*b*) (1910), 6 O. & H. at p. 49.

(*c*) See the observations of Grantham, J., in *Great Yarmouth* (1906), 5 O. & H. at p. 193.

(*d*) *Norwich* (1886), 4 O. & H. at p. 85.

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so doing are not within the Act, although indirectly they may promote the interests of the party. If the nominal object is to get a candidate, but the real object is to promote the election of the individual candidate, then I should say it would be within the Act."

In the same case, Denman, J., said (*d*): "According to my view, these expenses for the meeting were not really in substance expenses incurred in the conduct or management of that election; they were expenses incurred in order to induce a particular person to become a candidate, and the two things are, in my judgment, totally distinct. I think, therefore, that, until the respondent had consented to become a candidate, the payment was not a payment on his behalf."

Whether expenses of public meetings and political lectures are election expenses.

As to the question whether the expenses of public meetings (*e*) and political lectures are election expenses, and therefore ought to be included in the return, the judgment of the Court in *Haggerston* (*f*) showed that this is a question of fact which must always depend on the particular circumstances of each case. If the meeting in question was called with the direct object of advancing the election of the candidate, and not merely for the purpose of advancing political principles, then the expenses of the meeting would be election expenses.

(*d*) *Norwich* (1886), 4 O. & H. at p. 86.

(*e*) By sect. 34 of the present Act (see pp. 269—270, *infra*), expenses of public meetings for the purpose of promoting or procuring the election of a candidate must be authorised in writing by the election agent and returned as election expenses.

(*f*) (1896), 5 O. & H. at p. 72.

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In the case just mentioned (*g*) the election took place on July 17th, 1895. The respondent admitted that he became a candidate on November 17th, 1892. The legal maximum of expenses was £500, and the respondent returned an expenditure of £319. Expenses had been incurred between 1892 and the date of the election by the Haggerston Unionist Council, of which the respondent was president, in organising meetings and lectures, the payment of officers, and payments on account of illustrated almanacs containing matter in support of the respondent's candidature, pamphlets containing his speeches, pledge cards and portrait cards, &c. It was contended that these expenses were election expenses, and that they would make the respondent's election expenses above the legal maximum.

As to the expense in respect of the public meetings, Bruce, J. (*h*), said :—

"Of course, public meetings cannot be held without expense, but in my opinion the expenses of such meetings are not election expenses, unless the meetings are in some way connected with the election of the candidate. A meeting that is called for general political purposes does not, I think, become an election meeting, merely because a candidate attends it, nor even because some allusions are made to his candidature. Every meeting of any kind that a candidate attends may

(*g*) *Ibid.* at p. 69.
(*h*) *Ibid.*

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have the effect of increasing his popularity and making him better known to the electors, but incidental matters of that kind do not alter the character as regards the expense of the meetings. In each case it must be a question of fact whether the main object of the meeting is to promote the election of the candidate. The lectures in 1893, about which we have heard so much, were, no doubt, of a political character, but they were lectures to advance political principles; and I think it would be most mischievous to hold that the expenses of such lectures should be regarded as election expenses. If a candidate opens a bazaar, or lays a foundation stone, or takes the chair at a charity meeting, he may by so doing indirectly tend to promote his election, but the expenses attending such meetings, or the expenses of the candidate attending them, are not to be considered as election expenses. The line must be drawn between meetings called with the direct object of advancing the election of the candidate and meetings called for another object, from attendance at which the candidate only derives some indirect or remote advantage."

In the same case(*i*) Wright, J., laid down the law as follows:—

"The giving of lectures for what has here been called the education of the constituency is not at all necessarily an expense on account of the election, or an election expense. We think it would be unduly confining the methods of political work

(*i*) *Norwich* (1886), 4 O. & H. at p. 70.

and political enlightenment in this country, if we were to attempt to lay down any such general rule as that lectures, even though given with a view of advancing the prospects of a particular candidate, are necessarily election expenses; we think that must depend upon the circumstances in each case."

As regards the other matters in question, Wright, J., said (*k*):—

"The illustrated almanacs containing the matters which they did in support of Mr. L. (the candidate) personally, the pamphlets containing his speeches, certainly the pledge cards, and I think the portrait cards and to some extent the boards, were all matters which were expenditure on account of the election, and, in so far as they ought in law to have been held to be expenditure made by Mr. L. (the candidate), ought to have been included in his return."

In *Great Yarmouth* (*l*) Channell, J., said:—

"Now it seems to me that there are two classes of expenditure which a candidate almost invariably does incur, and which he begins to incur from the time, at any rate, when he is announced as a candidate. First of all there is a class of expenses incurred in promoting and disseminating the political opinions of the party to which he belongs, and in holding meetings for the purpose of delivering speeches upon this or that subject which the party politicians have taken up, or

(*k*) *Ibid.*
(*l*) (1906), 5 O. & H. at p. 189.

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which they take up in answer to what their opponents are taking up. Expenses must be incurred in that way by an intending candidate, and a candidate who comes down and makes speeches in support of what are supposed to be the principles of his party is incurring expenses and incurring those expenses with reference to his future election, because he hopes if he can establish the principles of his party to be in a majority in the constituency, so that when he comes to be the actual candidate he will get elected, and so of course he is doing it with reference to his own position as candidate, and in reference to his own election. But in my opinion those expenses, if they can be identified as being in reference to the political views of his party, are not expenses 'in respect of the conduct and management of his election.'"

Expenses of "nursing the constituency."

In the case last cited Channell, J., after dealing with the class of expenses referred to in the passage quoted above, said (*m*):—

"Then there is another class of expenses which is much more doubtful but which always occurs, and that is this, the expenses which a candidate incurs for the purpose of making himself personally popular. There is an expression which is sometimes used in these cases—and one has to use the slang expressions in these cases — and that is 'nursing a constituency.' Now that class of expenses is not, I think, necessarily part of the conduct and management of an election. You

(*m*) (1906), 5 O. & H. at p. 190.

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have to look carefully at each expense to see whether it is identified with the particular election in prospect, but speaking generally, expenses of that character would not in my opinion come within 'expenses in respect of the conduct and management of the election,' which have to be paid through the election agent, and which have to be kept within a definite maximum. At the same time it is obvious that the very things which are done for the purpose of what I referred to as 'nursing the constituency,' or for promoting the personal popularity of the candidate, would require very careful consideration as to whether or not they come within the corrupt practices, either of bribing or treating. Now it is in that light that we have to consider the matters charged here, and we commence with the various meetings, which were mostly, but not entirely, ward meetings. For the reasons I have already given I do not think that the expenses of those meetings would be expenses in the conduct and management of the election. They no doubt had a slight bearing upon it, for Mr. F. (the candidate) came to address the meetings upon political subjects, but so far as they were 'political' meetings they do not come within the section. So far as they were municipal meetings of course they do not do so either, therefore I do not think they were election expenses."

Expenses of committee room.

In *St. George's* (*n*) a question arose as to whether the expenses of using a certain room as a committee

(*n*) (1895), 5 O. & H. at p. 114.

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room should be included under the head of election expenses. It was proved that the petitioner had taken a house in the constituency. He had built at the further end of the yard a room which he had furnished as a club room, and which he had allowed the Radical Association to use as a club for its meetings, and during the election it was used as a committee room. The petitioner paid all the expenses in connection with the room, and did not include any of them in his return of his election expenses. In giving judgment, Pollock, B., said (*o*):—

"When an election is taking place there must be a committee room somewhere, and that committee room must be hired unless the candidate carries it on in his own house, and there must be the expenses of the rent, coals, gas, cleaning, and so forth, and, but for this club room, they must have gone elsewhere; it was found more convenient to have this club room, but the people who inhabited it were the people who were workers for the election: therefore it seems to me that these were election expenses. The decision in this case is important, because it is just one of those little things that, until the law is known, may prove a source of difficulty in the minds of persons who are not acquainted with the law, and it is as well that they should know in the future that, unless they make a return of such expenses, they are guilty of a breach of the Act of Parliament."

(*o*) (1895), 5 O. & H. at p. 115.

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Registration expenses are not election expenses.

Willes, J., in dealing with the question of registration expenses under the old statute (Corrupt Practices Act, 1863, s. 4) in 1869 in *Penryn* (*p*), went no further than to say:—"These are expenses which could not, as I read the Act, probably come into a properly framed account, though I should not like to advise anyone to leave them out who was anxious to avoid the penalties of not accounting."

In more recent years, however, the Court has held that such expenses may be lawfully paid. But if the candidate does expend money in this way, he should be careful to do it in such a way that it cannot be suggested against him that it was really a payment for the purpose of promoting his election.

"It seems to me," said Vaughan Williams, J., in *Stepney* (*q*), "that although registration expenses may lawfully be paid for by the candidate, the candidate is doing a very imprudent and unwise thing, if he chooses to pay those expenses by way of a subscription to an association like this Stepney Conservative Association. It did not confine its operations to registration. . . . They concerned themselves with all sorts of matters other than registration."

In the same case Cave, J., said (*r*): "Unless an election agent can make it quite clear that he has not been doing election work under the guise of registration work, he must not be surprised,

(*p*) (1869), 1 O. & H. at p. 132.
(*q*) (1892), Day's Election Cases, at p. 123.
(*r*) *Ibid.* at p. 118.

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when his accounts are brought before the election court, if the judges take the view that he has been purposely muddling the two accounts up together, in order that he may escape from the fetters of the Act of Parliament."

Money paid in improving the registration of the constituency and in publishing a newspaper not election expenses.

In *Kennington* (*s*) it was proved that the respondent, who was accepted as a candidate for the constituency about eight months before the election, paid almost all the expenses connected with improving the registration of the borough in the interest of himself and his party, the amount being 145*l*. It was also proved that in August, three months before the election, the respondent started a newspaper called the *South London Standard*, which advocated his own political views. The paper was discontinued in January as it did not pay. The respondent paid 500*l*. in respect of this paper, and it was argued on behalf of the petitioner that these sums of 145*l*. and 500*l*. were in reality expenses incurred "in the conduct and management of the election."

In giving judgment for the respondent, Field, J., said (*t*): "The legislature leaves to the different parties in the country to follow their own interests in ascertaining, and inducing a revising barrister (*u*) to say, who are and who are not qualified to vote, and I must confess that merely

(*s*) (1886), 4 O. & H. at pp. 93, 94.

(*t*) *Ibid.* at p. 94.

(*u*) It is submitted that the principle here laid down as to expenditure in improving the registration of the constituency would be held applicable under the present Act, substituting, of course, "a registration officer" for "a revising barrister."

because a person, who is a candidate, looks after his interests to ascertain that no persons but those who are favourable to him are upon the register and are qualified to be upon the register, I am quite unable to come to the conclusion that that is an expense on account of the election, or on account of the conduct or management of the election. It is simply a question for me as a juryman to decide, and in this case I shall certainly come to that conclusion. The same observations apply to the *South London Standard*. I have no doubt whatever that the respondent would not have published this paper at all, unless he had thought it would assist him. Whether he thought it would be a good speculation pecuniarily, I do not know, but the question is whether it is an expense of conducting or managing the election. It is not for me to say what difficulties might arise if we were to hold that. I have simply to decide whether the case falls within the language and spirit and intention of the Act, and I am very clearly of opinion that in neither of these cases was the respondent guilty of an illegal practice (*x*)." Sect. 33.

Expenses of conversazione.

In *Rochester* (*y*) the respondent had paid for certain expenses in connection with a conversazione given by the Constitutional Association of the borough, and the question for the Court was, inter alia, whether these expenses were election expenses, and therefore expenses which ought to have been included in the return. The facts

(*x*) (1886), 4 O. & H. 94, 95; referred to with approval by Pollock, B., in *Lichfield* (1895), 5 O. & H. 33, 34.

(*y*) (1892), 4 O. & H. 158.

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were as follows:—In May, 1892, it was suggested to the respondent by the Constitutional Association that it would be desirable to give a conversazione. The respondent assented; a conversazione was held on May 4th and 5th, refreshments were provided at a nominal price, and the extra expenses were borne by the Association. The election took place two months later, on July 4th, 1892, and none of these expenses were returned in the respondent's return of expenses. In the result the Court held the election void on the ground of corrupt treating and illegal practices by the respondent's agents.

Cave, J., said (*z*):—"With reference to the conversazione, looking at the time at which it was held, and that it was the obvious intention of those who took part in it to promote the return of the respondent, it seems to me that, if it had been innocent throughout, nevertheless it must necessarily have been returned as a portion of the election expenses of the candidate."

Expense incurred by association, &c.

It is sometimes a difficult question to say whether expense incurred by an association or individual which undoubtedly is an assistance to the candidate is or is not an election expense. The test appears to be this: Was the expense incurred by the association or individual an expense incurred for their own ends and their own purposes, or was it one of the ordinary expenses of the candidate? In the former case it would not be, in the latter it would be, an election expense.

(*z*) (1892), 4 O. & H. at p. 159.

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This question arose in *Stepney* (*a*) in regard to payments made by the Licensed Victuallers' Association, and again in *Cockermouth* (*b*) in regard to the expenses of a tea meeting given by the Liberal Unionist Association. In both cases the payments in question were held not to be election expenses. In the former Cave, J., said (*a*):—"With regard to the Licensed Victuallers' Association, I see no ground at all for saying that those were election expenses. They appear to have been expenses incurred by them for their own purposes. No doubt they were desirous to assist Mr. Isaacson, whom they preferred as a candidate to Mr. Thompson, but it does not follow that because they were desirous of doing that, every expense that they chose to run into would become an election expense. They may have made themselves agents for Mr. Isaacson, so that any corrupt practice traced to them might unseat him; I do not say that it would, because it has not been necessary for us to direct our attention specifically to that point; but it does not follow that, because that is so, every expense that they resort to thereby becomes an election expense which must be paid by Mr. Isaacson. If that were so, the fate of a candidate would be very deplorable. He would have no control over persons who chose to say that they were acting in his interest and for his benefit, and would be compelled to pay every expense that they might

(*a*) (1892), Day's Election Cases, at pp. 118, 119.
(*b*) (1901), 5 O. & H. at p. 156.

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think fit to incur. No such liability exists, and I do not think the Licensed Victuallers' case was one in which it can be said that the expenses were expenses of conducting the election, and not expenses rather incurred by the association for their own ends, and for their own purposes, quite distinct from Mr. Isaacson's election, although undoubtedly his election was one of the things which they were anxious to secure."

In *Cockermouth*, Channell, J., said(*c*):—

"The difference between an act done in the conduct and management of the election and a thing done merely for the promotion of the success of a particular candidate seems to me to be this: if another person pays an expense and that expense is one of the ordinary expenses of the candidate, so that the doing of that by the third person relieves the candidate from part of his election expenses, then the candidate must treat that assistance as given to him in respect of his election expenses, and must treat the expenses as part of his expenses . . . if he, being merely a person interested for some reason, as a Liberal Unionist, or any other reason, in the success of a particular candidate, chooses to do things on his own account, which do not go to relieve the candidate from any portion of his election expenses, that is not doing anything in reference to 'the conduct or management of the election.' . . ."

Expenses of printing, &c., and of publishing addresses, &c.

As to the expenses of printing and advertising, and the expenses of publishing, issuing and dis-

(*c*) (1901), 5 O. & H. at p. 156.

tributing addresses and notices, referred to in Part II. (3) of the First Schedule to the Corrupt Practices Act, 1883 (*d*), it was held in *Barrow-in-Furness* (*e*) that addresses and notices cover bills.

In the case of the expenses last mentioned, as well as those of stationery, messages, postage and telegrams, and of holding meetings, referred to on p. 227, *supra*, it should be observed that by sect. 34 of the present Act:—

"(1) A person other than the election agent of a candidate shall not incur any expenses on account of holding public meetings or issuing advertisements, circulars or publications for the purpose of promoting or procuring the election of any candidate at a parliamentary election, unless he is authorised in writing to do so by such election agent.

"(2) If any person acts in contravention of this section, he shall be guilty of a corrupt practice other than personation (*f*) within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883, and the expression 'corrupt practice' shall be construed accordingly:

"Provided that the court before whom a person is convicted under this section may, if they think it just in the special circumstances of the case, mitigate or entirely remit any incapacity imposed by section six of the Corrupt and Illegal Practices Prevention Act, 1883.

(*d*) See pp. 226—227, *supra*.

(*e*) (1886), 4 O. & H. 78; cf. *Stepney*, *ibid.* 52, 54, 55, where the members of the Court differed on this question.

(*f*) See pp. 274—276, *infra*.

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"(3) Any expenses incurred on account of any such purpose as aforesaid and authorised by the election agent of the candidate shall be duly returned as part of the candidate's election expenses."

As to the effect of these provisions, see pp. 270—277, *infra*.

Return of election expenses.

The election agent of every candidate must, within thirty-five days after the result of the election is declared, transmit to the returning officer a true return of election expenses (*g*). This return must be in the form contained in the Second Schedule to the Corrupt Practices Act, 1883, or in a similar form (*g*), and must be accompanied by a declaration made by the election agent before a justice of the peace in the form required by that Act (*h*).

At the same time that the election agent transmits the return or within seven days afterwards, the candidate must transmit to the returning officer a declaration made by him before a justice of the peace verifying his election agent's return (*i*).

As to sub-sect. (2) *of sect.* 33. This sub-section is as follows:—

Any candidate at a parliamentary election shall, subject to regulations of the Postmaster-General, be entitled to send, free of any charge

(*g*) Corrupt Practices Act, 1883, s. 33 (1).
(*h*) *Ibid.* s. 33 (2).
(*i*) *Ibid.* s. 33 (4).

for postage, to each registered elector for the constituency, one postal communication containing matter relating to the election only, and not exceeding two ounces in weight:

Provided that a candidate shall not be entitled to exercise the right of free postage conferred by this provision before he is duly nominated, unless he has given such security as may be required by the Postmaster-General for the payment of postage in case he does not eventually become nominated.

For the purpose of this provision candidates who are under paragraph (4) of Part V. of the First Schedule to the Corrupt and Illegal Practices Prevention Act, 1883 (*j*), **deemed to be joint candidates at an election shall be treated as a single candidate.**

Any candidate at a parliamentary election.—As to the meaning of these words, see pp. 272—273, *infra*.

subject to regulations of the Postmaster-General.—These have not at the date of publication been issued.

before he is duly nominated.—With regard to a candidate for election to serve in Parliament for a county or borough, the law as to nomination is as follows:—

He must be nominated in writing (*k*). The writing must be subscribed by two registered electors of such county or borough as proposer and seconder, and by eight other registered elec-

(*j*) The paragraph here referred to is set out on pp. 229—230, *supra*.

(*k*) Ballot Act, 1872, s. 1.

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tors of the same county or borough as assenting to the nomination, and must be delivered during the time appointed for the election to the returning officer by the candidate himself, or his proposer or seconder (*l*).

Each candidate must be nominated by a separate nomination paper, but the same electors or any of them may subscribe as many nomination papers as there are vacancies to be filled, but no more (*m*).

The nomination paper must be fully filled in before it is subscribed by anyone (*n*).

Where there were four vacancies to be filled, and an elector subscribed four nomination papers, which were duly delivered to the returning officer, and then a fifth, which was also duly delivered to him, the court held that the first four nomination papers were valid, but that the fifth was not (*o*).

Each candidate must be described in the nomination paper in such manner as in the opinion of the returning officer is calculated sufficiently to identify such candidate; the description must include his names, his abode, and his rank, profession, or calling, and his surname must come first in the list of his names (*p*). No objection to

(*l*) Ballot Act, 1872, s. 1. See also *Monks* v. *Jackson* (1876), 1 C. P. D. 683, where it was held that a nomination paper delivered by a person who was not the candidate, nor his proposer, nor seconder, was void.

(*m*) Ballot Act, 1872, Sched. 1, Part I., r. 5.

(*n*) *Hermon* v. *Park* (1881), 7 Q. B. D. 369; *Cox* v. *Davies*, [1898] 2 Q. B. 202.

(*o*) *Burgoyne* v. *Collins* (1882), 8 Q. B. D. 450.

(*p*) Ballot Act, 1872, Sched. 1, Part I., r. 6. There have been numerous decisions on the meaning of words similar to but not exactly the same as these in other Acts; see *Bowden* v. *Besley* (1888),

a nomination paper on the ground of the description of the candidate therein being insufficient, or not being in compliance with this rule, shall be allowed or deemed valid, unless such objection is made by the returning officer, or by some other person, at or immediately after the time of the delivery of the nomination paper (*q*). Sect. 33.

The returning officer must supply a form of nomination paper to any registered elector requiring the same during such two hours as the returning officer may fix, between the hours of ten in the morning and two in the afternoon on each day intervening between the day on which notice of the election was given and the day of election (*r*), and during the time appointed for the election (*s*); but provided that the nomination paper is in the form prescribed by the Ballot Act, 1872, it need not be a nomination paper supplied by the returning officer (*t*).

The nomination papers must be delivered to the returning officer, at the place of election (*u*) during the time appointed for the election (*s*); and the candidate nominated by each nomination paper, and his proposer and seconder, and one other person selected by the candidate, and no person other than aforesaid shall, except for the

21 Q. B. D. 309; *Gledhill* v. *Crowther* (1889), 23 Q. B. D. 136; *Marton* v. *Gorrill*, *ibid.* 139, and cases there cited.

(*q*) Ballot Act, 1872, Sched. 1, Part I., r. 6.

(*r*) As to the meaning of "day of election," see pp. 179—180, *supra*.

(*s*) See Ballot Act, First Schedule, r. 4, p. 683, *infra*.

(*t*) Ballot Act, 1872, Sched. 1, Part I., r. 7.

(*u*) See sect. 32, pp. 222—223, *supra*.

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purpose of assisting the returning officer, be entitled to attend the proceedings during the time appointed for the election (*t*).

The returning officer must on the nomination paper being delivered to him, forthwith publish notice of the name of the person nominated as a candidate, and of the names of his proposer and seconder, by placarding or causing to be placarded the names of the candidate and his proposer and seconder in a conspicuous position outside the building in which the room appointed for the election is situate (*u*).

A person is not entitled to have his name inserted in any ballot paper as a candidate unless he has been nominated in the manner above described, and every person whose nomination paper has been delivered to the returning officer during the time appointed for the election (*v*) is deemed to have been nominated in manner above described, unless objection be made to his nomination paper by the returning officer, or some other person, before the expiration of the time appointed for the election (*v*) or within one hour afterwards (*x*).

The returning officer decides on the validity of every objection made to a nomination paper, and his decision, if disallowing the objection, shall be final; but, if allowing the same, is subject to

(*t*) Ballot Act, 1872, Sched. 1, Part I., r. 8.
(*u*) *Ibid.* r. 11.
(*v*) See footnote (*s*), p. 267, *supra*.
(*x*) Ballot Act, 1872, Sched. 1, r. 12.

reversal on petition questioning the election or return (*y*). Sect. 33.

The returning officer's duty in this matter is limited to objections made to the nomination paper; thus, he has no jurisdiction to entertain an objection that the nomination paper has not been delivered in time (*z*), and he has no power to deal with an objection to the qualification of the candidate (*a*). But if a nomination paper appears on the face of it to be an abuse of the right of nomination, *e.g.*, if it purports to nominate a woman, the returning officer should reject it (*b*).

When the returning officer has considered the objection to the nomination paper, and decided that such objection is invalid, the candidate is duly nominated, though he be disqualified and may be unseated on petition (*c*).

Expenses incurred by unauthorised persons.

34.—(1) A person other than the election agent[1] of a candidate shall not incur any expenses on account of holding public meetings or issuing advertisements, circulars or publications[1] for the purpose of promoting or procuring the election of any candidate at a parliamentary election,[2] unless he is

[1] See p. 271, *infra*. [2] See pp. 271—274, *infra*.

(*y*) *Ibid.* r. 13.

(*z*) *Howes* v. *Turner* (1876), 1 C. P. D. 671; cf. *Monks* v. *Jackson*, *ibid.* 683.

(*a*) *Pritchard* v. *Mayor of Bangor* (1888), 13 A. C. 251, 257 (H. L.).

(*b*) *Harford* v. *Linskey*, [1899] 1 Q. B. 862.

(*c*) *Pritchard* v. *Mayor of Bangor* (1888), 13 A. C. 241 (H. L.).

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authorised in writing to do so by such election agent.

(2) If any person acts in contravention of this section, he shall be guilty of a corrupt practice other than personation within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883,[3] and the expression "corrupt practice" shall be construed accordingly:

Provided that the court before whom a person is convicted under this section may, if they think it just in the special circumstances of the case, mitigate or entirely remit any incapacity imposed by section six of the Corrupt and Illegal Practices Prevention Act, 1883.[3]

(3) Any expenses incurred on account of any such purpose as aforesaid and authorised by the election agent of the candidate shall be duly returned as part of the candidate's election expenses.[4]

NOTE.—The object of this section is to prevent expenses of the nature indicated in sub-sect. (1) being incurred other than as part of a candidate's election expenses. If any person other than the election agent incurs expenses of this kind, he must be duly authorised to do so by the election agent, and the expenses in question must

[3] See pp. 274—276, *infra*.

[4] See p. 276, *infra*.

be duly returned (*e*) as part of the candidate's election expenses.

Such authorisation can only be given in writing.

the election agent.—Every candidate must appoint an election agent, but may not appoint more than one. Such election agent must be named by or on behalf of the candidate on or before nomination day (*f*). The name and address of such agent must be declared in writing by a candidate or by some other person on his behalf to the returning officer on or before nomination day (*f*). A candidate can if he wishes appoint himself as his election agent (*g*).

advertisements, circulars, or publications.—In accordance with the ordinary rule as to construing the words of a statute, the word "publications" must be construed *ejusdem generis* with the words "advertisements" and "circulars"—in other words, in order that the publication should fall within the meaning of the section it must be an advertisement or circular or a publication of the nature of an advertisement or circular.

The question whether any particular publication is within the meaning of the section would of course depend upon the circumstances of each case.

for the purpose of promoting or procuring the election of any candidate at a parliamentary election.—It is necessary to deal first with the

(*e*) See p. 264, *supra*.
(*f*) See pp. 179—180, *supra*.
(*g*) Corrupt Practices Act, 1884, s. 24.

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meaning of the words, **candidate at a parliamentary election.**

The present Act does not contain a definition of the word "candidate." It is probable, however, in view of the subject dealt with in this section, its close relation to the Corrupt and Illegal Practices Prevention Act, 1883, and the fact that that Act is expressly referred to in sub-sect. (2), that the word "candidate" would be construed in the same meaning as that expressly given to it in sect. 63 of the Corrupt Practices Act, 1883, namely:—"Any person elected to serve in Parliament at such election, and any person who is nominated as a candidate at such election, or is declared by himself or by others to be a candidate, on or after the day of the issue of the writ for such election, or after the dissolution or vacancy in consequence of which such writ is issued."

In *Rochester* (*h*) counsel submitted that under sect. 63 of the Corrupt Practices Act, 1883, the respondent was not a "candidate" until after the dissolution and the issue of the writ, and that the expenses incurred by him before that time could not be included in the election expenses.

In declining to accept this contention, Cave, J., said (*i*):—

"When a man begins to incur expenses with regard to an election, there is nothing to prevent his appointing an election agent. In some cases canvassers are set to work, and committees are formed, long before the dissolution, or the issue

(*h*) (1892), 4 O. & H. at p. 157.
(*i*) *Ibid.*

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of the writ. If those expenses are not to be returned as election expenses, the words of the Act as to the maximum amount of expenditure are set at nought." The law has been repeatedly laid down in similar terms by other judges (*k*), and in *Great Yarmouth* (*l*) Channell, J., said: "I quite adopt the view which has been put forward by other judges that the time when the election is supposed to commence . . . certainly is not limited to the commencement of the active part of the election by the occurrence of a vacancy or by the issue of a writ." The same view of the law was expressed by Lawrance, J., in *Maidstone* (*m*) and *Bodmin* (*n*). In each of the three last-mentioned cases, Grantham, J., differed (*o*), but in *East Dorset* (*p*), Lawrance and Pickford, JJ., stated that the law is correctly laid down in the numerous decisions to the contrary which are referred to above.

The cases just referred to and the judgments cited on pp. 242—249 show that the fact of an election having begun presupposes the existence of a candidate at such election, so that a person may become a "candidate at a parliamentary election" and incur election expenses long before the dissolution and the issue of the writ. As to the words **for the purpose of promoting or procuring the election,** these are identical with the

(*k*) See extracts from judgments cited, pp. 242—249, *supra*.
(*l*) 5 O. & H. 188.
(*m*) *Ibid.* 209, 210.
(*n*) *Ibid.* 228.
(*o*) *Ibid.* 191—193, 208, 209, 227, 228.
(*p*) (1910), 6 O. & H. at pp. 39, 40, 49, 50.

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words in sect. 17 of the Corrupt Practices Act, 1883, which have been held to have the same meaning as the words "on account of or in respect of the conduct or management of the election" (*q*).

As to when expenses for public meetings, &c. are incurred "in the conduct or management of the election," see pp. 250—254, 260—262.

From the cases cited on pp. 260—262, *supra*, it will be seen that there is nothing in theory to prevent persons who wish a particular candidate to be elected because they think him more in accordance with their own special views upon temperance or any other subject about which strong opinions are held, incurring certain expenses in support of his candidature (*s*); but in considering the effect of sect. 34 of the present Act it cannot be too strongly emphasized that in practice expenditure on account of the matters there mentioned will in almost every case be expenses incurred "for the purpose of promoting or procuring the election" of a candidate.

As to sub-sect. (2)—**a corrupt practice other than personation within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883.**

By sect. 6 (1) of that Act, "a person who commits any corrupt practice other than personation . . . shall be guilty of a misdemeanour, and on conviction on indictment shall be liable to be

(*q*) *Ipswich*, 31st March, 1886 (unreported). See also *Ipswich* 1886), 4 O. & H. at p. 74; 54 L. T. 619.

(*s*) See the judgment of Channell, J., in *Cockermouth* (1901), 5 O. & H. at p. 158.

imprisoned with or without hard labour for a term not exceeding one year, or to be fined any sum not exceeding 200*l.*"

By sect. 6 (3) of the same Act, "a person who is convicted on indictment of any corrupt practice shall, in addition to any punishment as above provided, be incapable during a period of seven years from the date of his conviction (a) of being registered as an elector or voting at any election in the United Kingdom, whether it be a parliamentary election or an election for any public office(*t*) within the meaning of the Corrupt Practices Act, 1883; or (b) of holding any public (*t*) or judicial(*u*) office, and if he holds any such office the office shall be vacated."

By sect. 6 (4) of the same Act, "any person so convicted of a corrupt practice shall be incapable of being elected to and of sitting in the House of Commons during the term of seven years next after the date of his conviction, and if at that date he has been elected to the House of Commons his election shall be vacated from the time of such conviction."

By sect. 43 (4) of the same Act, a person who is summarily convicted by an election court of any corrupt practice, which cannot occur unless such person declines to be tried by a jury, shall be subject to the same incapacities as if he had

(*t*) As to the meaning of the expression "public office" in the sub-section just cited, see sect. 61 of the Corrupt Practices Act, 1883.

(*u*) The expression "judicial office" in such sub-section includes the office of justice of the peace.

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been convicted on indictment, and further, may be imprisoned with or without hard labour for a term not exceeding six months, or ordered to pay a fine not exceeding 200*l.*

any incapacity imposed by section six of the Corrupt and Illegal Practices Prevention Act, 1883.—These words, which occur in the proviso in sect. 34 (2) of the present Act, refer to the incapacities mentioned in sect. 6 (3), (4), of the Corrupt Practices Act, set out above.

As to sub-section (3).—**any expenses incurred on account of any such purpose as aforesaid and authorised by the election agent of the candidate shall be duly returned as part of the candidate's election expenses.**

The **purpose** here mentioned is of course that of promoting or procuring the election of any candidate at a parliamentary election by holding public meetings or issuing advertisements, circulars, or publications. This subject is dealt with on pp. 271—274, *supra.*

authorised by the election agent of the candidate.—Such authorisation must by sect. 34 (1) be in writing by the election agent (*v*).

shall be duly returned as part of the candidate's election expenses.—As to this, see p. 264, *supra.*

Practical effect of sect. 34.

It would seem, having regard to the provisions of this section, that it will be more necessary even than it has been hitherto for a candidate to appoint an election agent immediately that he becomes a candidate. In the absence of his doing

(*v*) See sect. 34 (1), pp. 269—270, *supra.*

so he will be prohibited by this section from incurring any of the expenses mentioned therein (*w*). Sect. 34.

It is probable that the effect of this section, as given above, will be used as an argument for interpreting the word "candidate" in the present Act in the narrow sense of "duly nominated candidate" because of the hardship which, it will be urged, would result to persons who desire to stand for election and to the public from the broader interpretation of the word "candidate" in this section. It is submitted, however, that the meaning of the section is that given to it in this Note, and that the answer to such an argument is as was pointed out by Cave, J., in *Rochester* (*x*), and by Lawrence, J., in *East Dorset* (*y*), that there is nothing to prevent a "candidate" appointing an election agent as soon as he becomes a candidate, no matter how long that may be before the day of nomination.

It may be well to draw attention to the danger to which members of the public may be exposed if they are ignorant of, or neglect to observe, the provisions of sect. 34. Owing to the wide scope of the words "for the purpose of promoting or procuring the election of any candidate," it will be of the utmost importance for any person who intends to hold a public meeting, or to issue literature, of a political character to consider very carefully whether such meeting or literature is directly or indirectly for the "purpose" referred to, and, if so, to obtain the requisite authorisation.

(*w*) *Ibid.*, and pp. 271—274, *supra*.
(*x*) (1892), 4 O. & H. at p. 157.
(*y*) (1910), 6 O. & H. at p. 40.

Sect. 35.

Certain Acts to have permanent effect.

35. The following Acts, that is to say,—

The Ballot Act, 1872[1];

The Parliamentary Elections (Returning Officers) Act, 1875[2];

The Parliamentary Elections Returning Officers Expenses (Scotland) Act, 1878[3];

The Parliamentary Elections and Corrupt Practices Act, 1880[4];

The Corrupt and Illegal Practices Prevention Act, 1883[5];

The Municipal Elections (Corrupt and Illegal Practices) Act, 1884;

The Local Government (Elections) Act, 1896[6];

shall become permanent Acts, and any provision in any Act in force at the date of the passing of this Act which limits the period for which any of those Acts are to remain in operation shall cease to have effect.

NOTE.—The Acts mentioned in this section, which are now made permanent, were originally passed as temporary measures only, but have been extended from year to year since the time when they would have originally expired.

[1] See Appendix III., p. 665, *infra*.
[2] *Ibid.* p. 700, *infra*.
[3] *Ibid.* p. 708, *infra*.
[4] *Ibid.* p. 708, *infra*.
[5] *Ibid.* p. 710, *infra*.
[6] *Ibid.* p. 717, *infra*.

Sect. 36.

Conduct of elections for university constituencies.

36.—(1) The provisions contained in Part I. of the Fifth Schedule to this Act shall have effect with respect to elections for university constituencies other than the Scottish university constituency, and the provisions contained in Part II. of that Schedule shall have effect with respect to elections for the Scottish university constituency, and his Majesty may, by Order in Council, make such regulations as appear necessary or desirable for giving full effect to those provisions and for the effective and proper conduct of those elections.

Any such regulations may be made so as to be applicable generally to elections for university constituencies or specially to elections for any particular university constituency.

(2) This Part of this Act shall, except as expressly provided, apply to university constituencies and university elections.

(3) In the application of the provisions of this Act which are applicable to university constituencies and university elections to those constituencies and elections the following modifications shall have effect :—

(a) "Voting paper" shall be substituted for "ballot paper," and for any reference to the Ballot Act, 1872, there shall be substituted a refer-

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ence to the corresponding provision of this Act, or regulations made thereunder in relation to university constituencies or university elections:

(b) It shall not be necessary to prepare an absent voters list, but the right to vote by proxy may be exercised by any person who would be entitled to exercise such right if his name were entered on an absent voters list, so long as all other conditions enabling him to vote by proxy are fulfilled:

(c) Where a candidate's deposit is forfeited the deposit shall be retained by the university.

NOTE.—*As to sub-sect.* (1). **The provisions contained in Part I. of the Fifth Schedule to this Act.**—These provisions, with footnotes where necessary, are set out on pp. 364—372, *infra*.

university constituencies other than the Scottish university constituency. — Part III. of the Ninth Schedule to this Act, set out on p. 554, *infra*, contains a list of university constituencies in Great Britain, together with the number of members returnable by each constituency.

the provisions contained in Part II. of that Schedule.—These provisions are set out on pp. 373—386, *infra*.

such regulations as appear necessary or desirable.—These regulations have not, at the date of publication, been made. Sect. 36.

As to sub-section (2), **This Part of this Act shall, except as expressly provided, apply to university constituencies and university elections.**—Part III. of this Act consists of sections 20 to 36. Of these sections those which apply to university constituencies and university elections are 20, 22, 23, 26, 27, 33, 34, 35 and 36.

In considering the application of sect. 33 to university elections, it would seem that the maximum scale of election expenses (set out on p. 228, *supra*) applies to university elections. The words "borough election" in Part IV. (*x*) of the First Schedule to the Corrupt Practices Act, 1883, apparently include an election for a university constituency. In sect. 61 of the Representation of the People Act, 1867 (which section is expressly left unrepealed by the present Act (*y*)), the term "borough" is defined as "any borough, city, place, or combination of places, not being a county as hereinbefore defined, returning a member or members to serve in Parliament." By sect. 65 (1) of the Act of 1883, the words "the Corrupt Practices Prevention Acts" wherever used in the Act of 1883 include sects. 11, 49 and 50 of the Act of 1867. Further, the Act of 1883 contains no definition of "borough," so that the word "borough" when used in the Act of 1883

(*x*) Both as Part IV. originally stood and as altered by the present Act. See sect. 33 (1), p. 223, *supra*.

(*y*) See Sixth Schedule, p. 395, *infra*.

must, it is submitted, bear the meaning given to it by sect. 61 of the Act of 1867.

As to sub-section (3) (a), **the provisions of this Act**, in which the word **ballot-paper**, or a **reference to the Ballot Act, 1872**, occur, are sects. 22, 23, 27, set out on pp. 164—165, 172—176, 208—210, respectively.

As to sub-section (3) (b), see sect. 23, pp. 172—176, *supra*.

As to sub-section (3) (c), see sect. 27, pp. 208—210, *supra*.

Part IV.

Redistribution of Seats.

Sect. 37. Redistribution of seats.

37.—(1) Each of the areas mentioned in the first column of the First Part of the Ninth Schedule to this Act shall be a parliamentary borough returning the number of members specified opposite thereto in the said Schedule, and where so provided in the Schedule shall be divided into the divisions specified therein, and each such division shall return one member.

(2) Each of the areas mentioned in the first column of the Second Part of the Ninth Schedule to this Act shall be a parliamentary county returning the number of members specified opposite thereto in the said Schedule, and where so provided

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in the Schedule shall be divided into the divisions specified therein, and each such division shall return one member.

(3) Each of the universities and combinations of universities mentioned in the Third Part of the Ninth Schedule to this Act shall be a constituency returning the number of members specified opposite thereto in the said Schedule.

(4) The distribution of seats in Great Britain under this Part of this Act shall take the place of the distribution of seats existing at the time of the passing of this Act; and all writs for parliamentary elections and other documents consequent upon the writs or relating to parliamentary elections or the registration of electors shall be framed and expressed in such manner and form as may be necessary for carrying into effect the provisions of this Act.

NOTE.—The First, Second and Third Parts of the Ninth Schedule to this Act are set out at pp. 404—481, pp. 482—554, and p. 554, *infra*, respectively.

It should be noted that sect. 37 set out above has no application to Ireland (*z*). Redistribution in Ireland is dealt with by the Redistribution of Seats (Ireland) Act, 1918.

(*z*) Sect. 44 (10), pp. 333—334, *infra*.

Part V.

[Sections 38—47.]

General.

Punishment of offences committed outside the United Kingdom.

38. Where any person commits out of the United Kingdom any act which if that act had been committed in the United Kingdom would have rendered that person liable to prosecution and punishment under the Ballot Act, 1872, or the Corrupt and Illegal Practices Prevention Act, 1883 (as amended by any subsequent Act), or under this Act, that person shall be liable to be proceeded against and punished as though the act had been committed in the United Kingdom at any place where that person may for the time being be.

For the purposes of any such prosecution any period prescribed as the period within which proceedings may be commenced shall be reckoned as from the date on which the person charged returned to the United Kingdom next after the commission of the offence.

Note.—It would appear that the main purpose of this section is to bring the absent voter within the operation of the Acts mentioned.

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any act which if that act had been committed in the United Kingdom would have rendered that person liable to prosecution and punishment under the Ballot Act, 1872, or the Corrupt and Illegal Practices Prevention Act, 1883 (as amended by any subsequent Act), or under this Act.

On an examination of the offences which render a person liable to prosecution and punishment under the Acts mentioned in this section, it is clear that some of these offences cannot be committed out of the United Kingdom, and that in the case of some other of these offences it is improbable that they would be so committed.

It is, however, thought that it will be useful to give a list (*a*) of the acts which render a person liable to prosecution and punishment under the statutes mentioned.

These acts and the punishment for the same are dealt with under the following twelve heads (pp. 285—302):—

I. *Offences in respect of nomination papers, ballot papers, and ballot boxes* (*b*).—(1) Forging or fraudulently defacing or fraudulently destroying any nomination paper, or delivering to the returning officer any nomination paper knowing the same to be forged; or

(2) Forging, counterfeiting, or fraudulently defacing or fraudulently destroying any ballot

(*a*) For a discussion as to those acts which have been dealt with in the election courts, see pp. 90—178 of the Author's "Parliamentary Elections and Election Petitions," 2nd ed.

(*b*) Ballot Act, 1872, s. 3.

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paper or the official mark on any ballot paper; or

(3) Without due authority supplying any ballot paper to any person; or

(4) Fraudulently putting into any ballot box any paper other than the ballot paper which he is authorised by law to put in; or

(5) Fraudulently taking out of the polling station any ballot paper; or

(6) Without due authority destroying, taking, opening, or otherwise interfering with any ballot box or packet of ballot papers then in use for the purposes of the election (*c*).

Any person committing any of the offences set out above shall be guilty of a misdemeanour, and be liable, if he is a returning officer or an officer or clerk in attendance at a polling station, to imprisonment for any term not exceeding two years, with or without hard labour, and if he is any other person, to imprisonment for any term not exceeding six months, with or without hard labour (*c*).

Any attempt to commit any of the offences set out above shall be punishable in the manner in which the offence itself is punishable (*c*).

II. *Infringement of secrecy.*—No officer, clerk, or agent in attendance at a polling station shall communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of voters of any elector who has or has not applied for a ballot paper or voted at that

(*c*) Ballot Act, 1872, s. 3.

station, or as to the official mark, and no such officer, clerk, or agent, or any person whosoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station (*d*). No officer, clerk, or agent in attendance at the counting of the votes shall attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote (*d*). Sect. 38.

Every person who infringes the secrecy of voting by committing any of the acts set out above shall be liable, on summary conviction before two justices of the peace, to imprisonment for any term not exceeding six months, with or without hard labour (*d*).

III. *Personation.*—Any person is guilty of the offence of personation who at an election for a

(*d*) *Ibid.* s. 4.

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county or borough or at a municipal election applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead, or a fictitious person, or who having voted once at any such election applies at the same election for a ballot paper in his own name (*e*). This offence and that of aiding, abetting, counselling, or procuring its commission are felonies, and any person convicted of either of these offences on indictment shall be punished by imprisonment for a term not exceeding two years together with hard labour (*f*). These offences are also corrupt practices within the meaning of the Corrupt Practices Act, 1883 (*g*).

A person who is convicted on indictment of any corrupt practice shall, in addition to any punishment as above provided, be incapable during a period of seven years from the date of his conviction (a) of being registered as an elector or voting at any election in the United Kingdom, whether it be a parliamentary election or an election for any public office within the meaning of the Corrupt Practices Act, 1883; or (b) of holding any public or judicial office (*h*), and if he holds any such office the office shall be vacated (*i*).

Any person so convicted of a corrupt practice shall be incapable of being elected to and of sitting in the House of Commons during the

(*e*) Corrupt Practices Act, 1883, s. 3; Ballot Act, 1872, s. 24. See also footnote (*a*) on p. 285, *supra*.

(*f*) Corrupt Practices Act, 1883, s. 6 (2).

(*g*) *Ibid.* s. 3.

(*h*) As to the meaning of "public office" and "judicial office," see sect. 64 of the Corrupt Practices Act, 1883.

(*i*) *Ibid.* s. 6 (3).

term of seven years next after the date of his conviction, and if at that date he has been elected to the House of Commons his election shall be vacated from the time of such conviction (*k*). Sect. 38.

A person who is summarily convicted by an election court of any corrupt practice, which cannot occur unless such person declines to be tried by a jury, shall be subject to the same incapacities as if he had been convicted on indictment, and further, may be imprisoned with or without hard labour for a term not exceeding six months, or ordered to pay a fine not exceeding 200*l.* (*l*).

Every person guilty of a corrupt practice at an election is prohibited from voting at such election, and if any such person votes, his vote shall be void (*m*).

IV. *Bribery* (*n*).—A person is guilty of bribery who:—

(1) Directly or indirectly by himself, or by any other person on his behalf, gives, lends, or agrees to give or lend, or offers, promises, or promises to procure or to endeavour to procure, any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such

(*k*) *Ibid.* s. 6 (4).
(*l*) *Ibid.* s. 43 (4).
(*m*) *Ibid.* s. 36.
(*n*) As to the punishment for bribery, see pp. 293, 294, *infra*.

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voter having voted or refrained from voting at any election (*o*):

(2) Directly or indirectly by himself, or by any other person on his behalf, gives or procures or agrees to give or procure, or offers or promises, or promises to procure or to endeavour to procure any office, place, or employment to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting at any election (*p*):

(3) Directly or indirectly, by himself, or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement, or agreement as aforesaid to or for any person, in order to induce such person to procure or endeavour to procure the return of any person to serve in Parliament, or the vote of any voter at any election (*q*):

(4) Upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures or engages, promises or endeavours to procure, the return of any person to serve in Parliament, or the vote of any voter at any election (*r*):

(5) Advances or pays, or causes to be paid,

(*o*) Corrupt Practices Act, 1883, s. 3; Corrupt Practices Prevention Act, 1854, s. 2. See also footnote (*a*) on p. 285, *supra*.

(*p*) *Ibid.*

(*q*) *Ibid.*

(*r*) *Ibid.*

any money to or to the use of any other person with the intent that such money or any part thereof shall be expended in bribery at any election, or knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election; but this has no application to any money paid or agreed to be paid for or on account of any legal expenses *bonâ fide* incurred at or concerning any election (*s*):

(6) Being a voter, before or during any election directly or indirectly by himself, or by any other person on his behalf, receives, agrees or contracts for any money, gift, loan, or valuable consideration, office, place or employment, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election (*t*):

(7) After any election, directly or indirectly by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting at any election (*u*).

V. *Treating.*— Any person who corruptly by himself or by any other person, either before, during, or after an election, directly or indirectly gives or provides, or pays wholly or in part the expense of giving or providing, any meat, drink, enter-

(*s*) *Ibid.*

(*t*) Corrupt Practices Act, 1883, s. 3; Corrupt Practices Prevention Act, 1854, s. 3.

(*u*) *Ibid.*

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tainment or provision to or for any person for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at the election, or on account of such person or any other person having voted or refrained from voting or being about to vote or refrain from voting at such election, shall be guilty of treating (*x*).

And every elector who corruptly accepts or takes any such meat, drink, entertainment, or provision shall also be guilty of treating (*x*).

VI. *Undue influence.*—Every person is guilty of undue influence who, directly or indirectly, by himself or by any other person on his behalf, makes use of, or threatens to make use of, any force, violence, or restraint, or inflicts, or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss, upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who, by abduction, duress, or any fraudulent device or contrivance, impedes or prevents the free exercise of the franchise of any elector, or thereby compels, induces, or prevails upon any elector either to give or refrain from giving his vote at any election (*y*).

VII. *Making knowingly a false declaration respect-*

(*x*) Corrupt Practices Act, 1883, s. 1. See also footnote (*a*) on p. 285, *supra*.

(*y*) *Ibid.* s. 2. See also footnote (*a*) on p. 285, *supra*.

ing election expenses (*z*).—The only persons who can commit this offence are a candidate and an election agent (*a*).

VIII. *Incurring expenses on account of public meetings or issuing advertisements, circulars, or publications by unauthorised persons.*—Any person other than an election agent who incurs any expenses on account of holding public meetings or issuing advertisements, circulars, or publications for the purpose of promoting or procuring the election of any candidate at a parliamentary election, unless he is authorised in writing to do so by such election agent, shall be guilty of a corrupt practice within the meaning of the Corrupt Practices Act, 1883 (*b*).

The offences of bribery (*c*), treating (*c*), undue influence (*c*), making knowingly a false declaration respecting election expenses (*d*), as well as that of incurring expenses on account of public meetings, &c. referred to above (*e*), are corrupt practices within the meaning of the Corrupt Practices Act, 1883.

A person who commits any of these corrupt practices shall be guilty of misdemeanour, and on conviction on indictment shall be liable to be imprisoned with or without hard labour for a term not exceeding one year, or to be fined any sum not exceeding 200*l.* (*f*).

(*z*) *Ibid.* s. 33. See also footnote (*a*) on p. 285, *supra*.
(*a*) *Ibid.* s. 33 (7).
(*b*) See sect. 34 of the present Act and pp. 270—277, *supra*.
(*c*) Corrupt Practices Act, 1883, s. 3.
(*d*) *Ibid.* s. 33 (7).
(*e*) Sect. 34 of the present Act, pp. 269—270, *supra*.
(*f*) Corrupt Practices Act, 1883, s. 6 (1).

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Such person is also subject, on conviction, to the incapacities mentioned on pp. 275—276, *supra*.

Further, any person committing the offence of making knowingly a false declaration respecting election expenses is guilty of a misdemeanour, and is liable on conviction thereof on indictment to imprisonment with or without hard labour for any term not exceeding two years or to a fine, or to both such imprisonment and fine (*g*).

IX. *Illegal practices* (*h*).—(1) Making or receiving payment or making a contract for payment for the purpose of promoting or procuring the election of a candidate at any election—(a) on account of the conveyance of the electors to or from the poll, whether for the hiring of horses or carriages, or for railway fares, or otherwise; or (b) to an elector on account of the use of any house, land, building, or premises, for the exhibition of any address, bill, or notice, or on account of the exhibition of any address, bill, or notice, unless it is the ordinary business of such elector as an advertising agent to exhibit for payment bills and advertisements, and such payment to or contract with such elector is made in the ordinary course of business; or (c) on account of any committee room in excess of the number allowed by the Corrupt Practices Act, 1883, Schedule I. (*i*).

(2) Payment of any sum or incurring any expense by a candidate at an election or his election

(*g*) Perjury Act, 1911, s. 5.

(*h*) See footnote (*a*) on p. 285, *supra*.

(*i*) Corrupt Practices Act, 1883, s. 7. See *Pontefract* (1893), Day's Election Cases, 62—63, and pp. 142—144 of the Author's Parliamentary Elections and Election Petitions, 2nd edition.

agent, or sub-agent within his district, whether before, during, or after an election, on account of or in respect of the conduct or management of such election, in excess of the maximum specified in the Fourth Schedule to the present Act (*k*).

(3) Voting at an election by any person who knows that he is prohibited by statute from voting, or inducing or procuring any person to vote at an election knowing that such person is prohibited by statute from voting (*l*).

(4) Knowingly publishing, before or during an election, a false statement of the withdrawal of a candidate at such election, for the purpose of promoting or procuring the election of another candidate (*m*).

(5) In the case of a candidate, his election agent, or sub-agent within his district, printing, publishing or posting, or causing to be printed, published or posted, any bill, placard, or poster, having reference to an election, which fails to bear upon the face thereof the name and address of the printer and publisher (*n*).

(6) In the case of a candidate at an election or any agent of his or any other person making any payment, advance, or deposit before, during, or after, an election, in respect of any expenses incurred on account of or in respect of the conduct or management of such election otherwise than by or through the election agent acting in person,

(*k*) See sect. 33 of the present Act and sects. 8, 25, of the Corrupt Practices Act, 1883, and p. 228, *supra*.

(*l*) Corrupt Practices Act, 1883, s. 9 (1), (3).

(*m*) *Ibid.* s. 9 (2), (3).

(*n*) *Ibid.* ss. 18, 25.

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or by a sub-agent within his district, and in the case of any person, payment of any money provided by any person other than the candidate for any of the said expenses, whether as gift, loan, advance, or deposit, to any person other than the candidate or his election agent (*o*). This shall not, however, apply to—(i) a tender of security to or payment by the returning officer; or (ii) any sum disbursed by any person out of his own money for any small expense legally incurred by himself if such sum is not repaid to him; or (iii) payment by the candidate of any personal expenses incurred by him on account of or in connection with or incidental to the election, to an amount not exceeding 100*l.* (*p*); or (iv) the payment by any person if authorised in writing by the election agent of any necessary expenses for stationery, postage, telegrams, and other petty expenses, to a total amount not exceeding that named in the authority (*q*).

(7) In the case of an election agent, or sub-agent within his district, payment—(a) without a judgment or order of a competent Court, or leave of the High Court first obtained, of a claim against a candidate or his election agent in respect of any expenses incurred on account or in respect of the conduct or management of such election, which is not sent in to the election agent within fourteen days after the day on which the candidates returned are declared elected (*r*);

(*o*) Corrupt Practices Act, 1883, ss. 25, 28.
(*p*) *Ibid.* s. 31 (1).
(*q*) *Ibid.* s. 31 (3).
(*r*) *Ibid.* s. 29 (2), (3), (8), (9); s. 25.

(b) without such leave, of any of the said expenses after twenty-eight days after the day on which the candidates returned are declared elected (*s*).

(8) In the case of a candidate or his election agent, failure, without authorised excuse, to comply with the requirements of sect. 33 of the Corrupt Practices Act, 1883, as to the return and declaration respecting election expenses (*t*).

(9) Making or publishing a false statement of fact in relation to the personal character or conduct of a candidate for the purpose of affecting his return, unless the person making or publishing such statement can show that he had reasonable grounds for believing and did believe the statement made by him to be true (*u*).

(10) Any illegal payment, employment, or hiring by a candidate, his election agent, or sub-agent within his district, if personally guilty thereof (*x*).

(11) Acting or inciting others to act at a political meeting in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together, provided that such meeting is a lawful public meeting held in a parliamentary constitu-

(*s*) *Ibid.* s. 29 (4), (5); s. 25. If, however, the election court reports that such payment was made without the sanction or connivance of the candidate, his election will not be void nor will he be subject to any incapacity by reason of such payment: *ibid.* s. 29 (6).

(*t*) *Ibid.* s. 33 (6). As to the position of the sub-agent, see *ibid.* s. 25.

(*u*) Corrupt Practices Act, 1895, s. 1.

(*x*) Corrupt Practices Act, 1883, ss. 21 (2), 25.

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ency between the date of the issue (*z*) of a writ for the return of a member of Parliament for such constituency and the date at which a return to such writ is made (*a*).

(12) Voting for more constituencies than the voter is entitled to vote for in accordance with the present Act, or asking for a ballot or voting paper for the purpose of so voting, provided that (a) the fact that any person has asked for a ballot paper in a constituency in circumstances which entitle him only to mark a tendered ballot paper in pursuance of Rule 27 of the First Part of the First Schedule to the Ballot Act, 1872, shall not, if he does not exercise that right, prevent his voting or asking for a ballot or voting paper in another constituency (*b*); and (b) the giving of a vote by a returning officer in pursuance of sect. 2 of the Ballot Act, 1872, in the case of an equality of votes, or the asking for a ballot paper for the purpose of so voting, shall not, for the purposes of this section, be deemed to be the giving of a vote as a parliamentary elector, or the asking for a ballot paper for the purpose of so voting (*b*).

(13) In the case of a person who is for the time being entitled to vote by proxy in a constituency under the present Act, himself voting or attempting to vote at any parliamentary election in that constituency otherwise than by means

(*z*) The writ is issued by the Speaker of the House of Commons and may sometimes not be received by the returning officer in the constituency until a day later.

(*a*) Public Meeting Act, 1908, ss. 1, 2.

(*b*) See sect. 22 of the present Act and pp. 166—167, *supra*.

of the proxy paper, while the proxy paper is in force (*c*).

(14) Voting or attempting to vote as proxy on behalf of more than two absent voters at an election in any constituency unless such person is voting as the husband or wife, or the parent, brother, or sister of the absent voter (*c*).

(15) Voting or attempting to vote at any election under the authority of a proxy paper when such person knows or has reasonable grounds for supposing that the proxy paper has been cancelled, or that the elector to whom or on whose behalf the proxy paper has been issued is dead or no longer entitled to vote at that election (*c*).

A person guilty of an illegal practice may be prosecuted in the manner provided by the Summary Jurisdiction Acts (*d*), and is on summary conviction liable to a fine not exceeding 100*l.* (*d*), and is incapable, during a period of five years from the date of his conviction, of being registered as an elector, or of voting at any election (whether it be a parliamentary election or an election for a public office (*e*), held for or within the county or borough in which the illegal practice was committed (*f*).

Further, he is prohibited from voting at such election, and if he votes his vote shall be void (*g*).

(*c*) Clause (10) of the Third Schedule to the present Act, see pp. 361—362, *infra*.

(*d*) Corrupt Practices Act, 1883, s. 54 (1).

(*e*) As to meaning of "public office," see sect. 63 of the Corrupt Practices Act, 1883.

(*f*) *Ibid.* s. 10.

(*g*) *Ibid.* s. 36.

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X. *Illegal payment* (*h*).—A person is guilty of illegal payment who—

(1) Knowingly provides money for any payment contrary to the provisions of the Corrupt Practices Act, 1883, or for any expenses incurred in excess of any maximum amount allowed by the said Act, or for replacing any money expended in any such payment or expenses, except where the same may previously have been allowed as an exception (*i*):

(2) Corruptly induces or procures any other person to withdraw from being a candidate at an election in consideration of any payment or promise of payment, or so withdraws in pursuance of such inducement or procurement (*k*):

(3) Pays or receives payment or contracts for payment, before, during, or after an election, for the purpose of promoting or procuring the election of a candidate at any election, on account of bands of music, torches, flags, banners, cockades, ribbons or other marks of distinction (*l*).

XI. *Illegal employment* (*m*).—A person is guilty of illegal employment who for the purpose of promoting or procuring the election of a candidate at any election engages or employs, or is for the said purpose engaged or employed by, any other person for payment or promise of payment for any purpose, or in any capacity whatever, except for any purposes or capacities mentioned in the

(*h*) See footnote (*a*) on p. 285, *supra*.

(*i*) Corrupt Practices Act, 1883, s. 13. See also sect. 33 (1) of the present Act, p. 223, *supra*.

(*k*) Corrupt Practices Act, 1883, s. 15.

(*l*) *Ibid.* s. 16.

(*m*) See footnote (*a*) on p. 285, *supra*.

first or second Parts of the First Schedule to the Corrupt Practices Act, 1883, or except so far as payment is authorised by the first or second Parts of the said Schedule or otherwise by the said Act (*m*). Sect. 38.

XII. *Illegal hiring* (*n*).—A person is guilty of illegal hiring who—

(1) Lets, lends, or employs, for the purpose of conveyance of electors to or from the poll, any public stage or hackney carriage, or any horse or other animal kept or used for drawing the same, or any carriage, horse, or other animal, which he keeps or uses for the purpose of letting out for hire, knowing that it is intended to be used for the purpose of the conveyance of electors to or from the poll (*o*); or

(2) Hires, borrows, or uses, for the purpose of the conveyance of electors to or from the poll, any carriage, horse, or other animal, knowing that the owner thereof is prohibited from letting, lending, or employing it for that purpose (*p*); or

(3) Hires or uses as a committee room, for the purpose of promoting or procuring the election of a candidate at an election, or lets, knowing it was intended to use the same as a committee room, any premises or part of any premises,—

(a) On which the sale by wholesale or retail of any intoxicating liquor is authorised by a licence (whether the licence be for consumption on or off the premises); or

(*m*) Corrupt Practices Act, 1883, s. 17.
(*n*) See footnote (*a*) on p. 285, *supra*.
(*o*) Corrupt Practices Act, 1883, s. 14 (1).
(*p*) *Ibid.* s. 14 (2).

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(b) Where any intoxicating liquor is sold, or is supplied to members of a club, society, or association, other than a permanent political club; or

(c) Whereon refreshment of any kind, whether food or drink, is ordinarily sold for consumption on the premises; or

(d) Of any public elementary school in receipt of an annual parliamentary grant;

but the provisions of (3) (a), (b), (c), (d), above, do not apply to any part of such premises which is ordinarily let for the purpose of chambers or offices, or the holding of public meetings or of arbitrations, if such part has a separate entrance and no direct communication with any part of the premises on which any intoxicating liquor or refreshment is sold or supplied as aforesaid (*q*).

A person guilty of an offence of illegal payment, employment, or hiring may be prosecuted in the manner provided by the Summary Jurisdiction Acts (*r*), and shall, on summary conviction, be liable to a fine not exceeding 100*l.* (*s*).

A candidate, or an election agent of a candidate, who is personally guilty of an offence of illegal payment, employment, or hiring, is guilty of an illegal practice, and is punishable accordingly (*t*).

As to the words in the second paragraph of sect. 38, **any period prescribed as the period within which proceedings may be commenced.**—A proceeding

(*q*) Corrupt Practices Act, 1883, s. 20.
(*r*) *Ibid.* s. 54 (1).
(*s*) *Ibid.* s. 21 (1).
(*t*) *Ibid.* s. 21 (2), and see p. 299, *supra*.

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against a person in respect of the offence of a corrupt or illegal practice, or any other offence under the Corrupt Practices Prevention Acts, must be commenced within one year after the offence was committed, or if it was committed in reference to an election with respect to which an inquiry is held by election commissioners shall be commenced within one year after the offence was committed, or within three months after the report of such commissioners is made, whichever period last expires, so that it be commenced within two years after the offence was committed (*u*). In the case of offences under the Ballot Act, 1872, dealt with under I. and II. on pp. 285—287, *supra*, there is no limit of time within which proceedings must be commenced.

By sect. 38 of the present Act, this period **shall be reckoned as from the date on which the person charged returned to the United Kingdom next after the commission of the offence.**

Re-arrangement of polling districts to suit new constituencies.

39. The council having power to divide a constituency into polling districts shall, not later than one month after the passing of this Act, take into consideration the division of the constituency into polling districts, and make any re-arrangements of those districts and of polling places which it appears necessary to make as a consequence of alterations effected by this Act.

NOTE.—**The council having power** here re-

(*u*) Corrupt Practices Act, 1883, s. 51 (1).

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ferred to is the County Council. See Local Government Act, 1888, s. 3 (xii.).

constituency.—As to the meaning of this word, see sect. 41 (1), p. 305, *infra*.

In the application of this section to Scotland, by sect. 43 (17) (p. 323, *infra*) the returning officer is substituted for the council.

As to Ireland, see sect. 44 (9), pp. 332—333, *infra*.

Regulations to be laid before Parliament.

40.—(1) All rules, regulations, or provisions made by Order in Council under this Act shall be laid before each House of Parliament forthwith; and unless and until an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after any such rule, regulation, or provision is laid before it, praying that the rule, regulation, or provision may be annulled, the rule, regulation, or provision shall have effect as if enacted in this Act.

(2) Any Order in Council under this Act may be revoked or varied as occasion requires by any subsequent Order in Council.

NOTE.—The Orders in Council under this Act which have, up to the time of going to press, been made will be found in Appendices I. and VI., *infra*.

Sect. 41. Interpretation.

41. In this Act, unless the context otherwise requires,—

(1) The expression "constituency" means any county, borough, or combination of places, or university or combination of universities, returning a member to serve in Parliament; and, where a county or borough is divided for the purpose of parliamentary elections, means a division of the county or borough so divided; and elections for any such division shall be held in the same manner and subject to the same provisions as those for undivided counties or boroughs (*x*):

(2) The expression "local government electoral area" means the area for which any county council, municipal borough council, metropolitan borough council, district council, board of guardians, parish council, or any other body elected at the time of the passing of this Act by persons on the local government register or on the register of parochial electors is elected; and

(*x*) For a list of counties, boroughs, combinations of places, and universities and combinations of universities returning members to serve in Parliament, see the Ninth Schedule to the present Act, pp. 404—554, *infra*.

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the expression "local government election" means an election for any such council, board, or body (*y*):

(3) The expression "general election" means an election of members to serve in a new Parliament of the United Kingdom:

(4) The expression "university constituency" means a constituency consisting of a university or a combination of universities; and the expression "university election" means an election of a member or members of Parliament for a university constituency (*z*):

(5) A person who is an inmate or patient in any prison, lunatic asylum, workhouse, poorhouse, or any other similar institution shall not by reason thereof be treated as resident therein for any purpose of this Act (*a*):

(6) The expression "transferable vote" (*b*) means a vote—

(a) capable of being given so as

(*y*) See sect. 3, pp. 40—41, s. 4 (3), pp. 64—65, and s. 8 (2), pp. 101—102, *supra*.

(*z*) For a list of university constituencies, see the Ninth Schedule to the present Act, Part III., p. 554, *infra*. As to university elections, see s. 36, pp. 279—280, *supra*.

(*a*) See p. 15, *supra*.

(*b*) See sect. 20, pp. 155—157, and pp. 158—160, *supra*.

to indicate the voter's preference for the candidates in order; and

(b) capable of being transferred to the next choice when the vote is not required to give a prior choice the necessary quota of votes, or when, owing to the deficiency in the number of the votes given for a prior choice, that choice is eliminated from the list of candidates (*c*):

(7) For the purposes of registration a person's age shall be taken to be that person's age on the last day of the qualifying period (*d*):

(8) The expression "dwelling-house" includes any part of a house where that part is occupied separately as a dwelling-house (*e*):

(9) The yearly value of land or premises shall be taken to be the gross estimated rental, or in the metropolis the gross value, where those premises are separately assessed to rates, and in any other case shall be deemed to be the amount which would in the opinion of the

(*c*) See sect. 20, pp. 155—157, and pp. 158—160, *supra*.
(*d*) See pp. 4 and 81, *supra*.
(*e*) See pp. 49—55 and 70, *supra*.

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registration officer be the gross estimated rental or gross value, as the case requires if they were separately assessed (*f*):

(10) The expression "afloat" and expressions relating to service afloat in connection with naval and military voters shall be interpreted in accordance with rules (*g*) made for the purpose by the Admiralty (*h*):

(11) The expression "prescribed" means prescribed by His Majesty by Order in Council.

Adaptation of Acts.

42. The parliamentary and the local government franchises enacted by this Act shall take the place of all parliamentary and, so far as respects local government elections within the meaning of this Act, of all local government franchises existing at the time of the passing of this Act; and the provisions set out in the Sixth Schedule to this Act with respect to the adaptation of Acts shall have effect for the purpose of adapting the law to the provisions of this Act.

NOTE.—For the Sixth Schedule to this Act, see pp. 386—390, *infra*.

(*f*) See pp. 28 - 33, 68—69, 71, *supra*.
(*g*) Set out on p. 628, *infra*.
(*h*) See sect. 5 (3) (ii), pp. 77—78, and pp. 83—84, *supra*.

43. This Act shall apply to Scotland, subject to the following modifications:— Sect. 43. Application to Scotland.

(1) Unless the context otherwise requires—

(a) The word "borough" except as used in the expression "parliamentary borough" means "burgh";

(b) The expression "local government electoral area" means the area for which any county council, town council, parish council, or school board, is elected, and "local government election" means an election for any such council or board;

(c) The expression "the Local Government Board" (except where otherwise expressly provided) means the Secretary for Scotland;

(d) The expression "Valuation Acts" means the Lands Valuation (Scotland) Act, 1854, and any Acts amending the same; 17 & 18 Vict. c. 91.

(e) The expression "governing body" used in relation to a university means the university court;

(f) A reference to the Supreme Court shall be construed as a reference to the Court of Session;

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(g) A reference to the Court of Appeal shall be construed as a reference to the Court of three judges of the Court of Session constituted by the twenty-third section of the Representation of the People (Scotland) Act, 1868;

(h) A reference to the county court shall be construed as a reference to the sheriff court:

(2) The yearly value of any subjects shall be taken to be the value appearing in the valuation roll where those subjects are separately valued in that roll, and in any other case shall be deemed to be the value which would in the opinion of the registration officer be entered therein if they were so valued (*i*):

(3) The section (*k*) of this Act relating to local government franchise (men) shall not apply, and in lieu thereof—

(a) A man who is of full age and not subject to any legal incapacity shall be entitled to be registered as a local government elector for a local government electoral area if

(*i*) See sect. 1 (3), p. 3, sect. 4 (1) (c), p. 64, and sect. 7 (1) (b), p. 98, *supra*.

(*k*) See sect. 3, pp. 40—41, *supra*.

he is on the last day of the qualifying period and has been during the whole of that period—

(i) the owner of lands and heritages within the area of the yearly value of not less than ten pounds: Where such lands and heritages are in the joint ownership of two or more persons and the aggregate yearly value of the lands and heritages is not less than the amount produced by multiplying ten pounds by the number of the joint owners, each of the joint owners shall be treated as owning lands and heritages of the yearly value of not less than ten pounds; or

(ii) the occupier as tenant of lands and heritages within the area of the yearly value of not less than ten pounds: Where such lands and heritages are in the joint occupation as tenants of two or more persons, and the aggregate yearly value of the lands and heritages is not less than the amount produced by multiplying ten pounds by the number of the

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joint occupiers, each of the joint occupiers shall be treated as occupying lands and heritages of the yearly value of not less than ten pounds; or

(iii) the inhabitant occupier as owner or tenant of a dwelling-house within the area; or

(iv) the occupier of lodgings within the area of the yearly value if let unfurnished of not less than ten pounds: Where such lodgings are in the joint-occupation of not more than two persons and the aggregate yearly value as aforesaid of the lodgings is not less than twenty pounds, each of the joint lodgers shall be treated as occupying lodgings of the yearly value of not less than ten pounds: or

(v) the inhabitant occupier by virtue of any office, service, or employment of a dwelling-house within the area which is not inhabited by the person in whose service he is in such office, service, or employment:

(b) The ownership or occupation in immediate succession of different

lands and heritages, dwelling-houses, or lodgings, as the case may be, in the same parliamentary county or in the same parliamentary borough shall have the like effect in qualifying a man to be registered as a local government elector for a local government electoral area therein, respectively, as the continued ownership or occupation of the same lands and heritages, dwelling-houses, or lodgings within that area;

(c) In this section "owner" shall include heir of entail in possession, life-renter, and beneficiary entitled under any trust to the rents and profits of lands and heritages and shall not include the fiar of lands and heritages subject to a life-rent, nor tutor, curator, judicial factor, nor commissioner; "lands and heritages" has the same meaning as in the Valuation Acts, and "dwelling-house" means any house or part of a house occupied as a separate dwelling:

(4) Subsection (1) of the section (*l*) of this

(*l*) See sect. 4, pp. 63—64, *supra*.

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Act relating to franchises (women) shall not apply, and in lieu thereof—

(a) A woman who is not subject to any legal incapacity shall be entitled to be registered as a parliamentary elector for a constituency (other than a university constituency) if she has attained the age of thirty years, and if either she or her husband is on the last day of the qualifying period occupying as owner or tenant any land or premises in the constituency (hereinafter in this subsection called "the qualifying premises"), and has during the whole of the qualifying period so occupied any land or premises in the county or county of a city in which the qualifying premises are situated:

(b) For the purposes of this subsection—

(i) the word "tenant" shall include a person who inhabits by virtue of any office, service, or employment any dwelling-house which is not inhabited by the person in

whose service he or she is in such office, service, or employment: Sect. 43

(ii) the word "tenant" shall include a person who occupies a room or rooms as a lodger only where such room or rooms are let to him or her in an unfurnished state:

(iii) the expression "land or premises" means any land or premises (other than a dwelling-house) of the yearly value of not less than five pounds or any dwelling-house:

(iv) a woman, though she or her husband may have been occupying land or premises in the constituency on the last day of the qualifying period, shall not be entitled to be so registered, if she or her husband, as the case may be, commenced to occupy the land or premises within thirty days before the end of the qualifying period and ceased to occupy them within thirty days after the commencement of such occupation;

(v) the word "county" means a county inclusive of all burghs therein except a county of a city,

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and the word "dwelling-house" means any house or part of a house occupied as a separate dwelling:

(vi) where land or premises are in the joint occupation of two or more persons, each of the joint occupiers shall be treated as occupying the same, provided that not more than two joint occupiers shall be so treated in respect of the same land or premises, unless they are bonâ fide engaged as partners, carrying on their profession, trade, or business on the land or premises, and provided further that in the case of land or premises (other than a dwelling-house) the aggregate yearly value thereof must be not less than the amount produced by multiplying five pounds by the number of joint occupiers:

(c) A woman registered by virtue of this section shall be deemed to be registered by virtue of her own or her husband's local government qualification:

(5) Subsection (1) of the section (*l*) of this

(*l*) See sect. 7, pp. 98—99, *supra*.

Act relating to supplemental provisions as to residence and occupation shall not apply except in so far as that subsection relates to the parliamentary franchise for men, and subsection (4) (*l*) of the said section shall not apply (*m*) :

(6) The section (*n*) of this Act relating to provisions as to disqualifications shall have effect as if the following provision were enacted therein :

A person shall not be disqualified from being registered or from voting as a parliamentary or local government elector by reason that he is the town clerk or depute town clerk of any burgh or the assessor under the Valuation Acts in any burgh or county :

(7) The section (*o*) of this Act relating to provision as to qualification of councillor shall not apply :

(8) The section (*p*) of this Act relating to registration officers and areas shall not apply, and in lieu thereof—

Each burgh, the town council

(*l*) See p. 100.
(*m*) See pp. 56—57, s. 4, pp. 63—65, 69—70, and 74.
(*n*) See sect. 9, pp. 112—115, *supra*.
(*o*) See sect. 10, p. 123, *supra*.
(*p*) See sect. 12, pp. 130—131, *supra*.

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whereof was entitled under the law in force at the passing of this Act to appoint an assessor for the purpose of parliamentary registration, and each county (exclusive of every such burgh), or, where any county is divided for the purpose of parliamentary elections, each part of the county (with the like exclusion) which lies within a separate parliamentary division, shall be a registration area; and the assessor of the burgh or county under the Valuation Acts, or where there are two or more such assessors, one of them appointed for the purpose of parliamentary registration by the town or county council, as the case may be, shall be the registration officer of that area, and all other assessors (if any) in that area shall, for the purpose of the registration of parliamentary and local government electors, be subject to the instructions of the registration officer and shall be bound to act on such instructions:

Provided that, from and after the date when the first register under this Act shall have been

completed, an officer of Inland Revenue shall not be appointed or continue to act as assessor for any burgh or county under the Valuation Acts without the consent of the Treasury :

(9) The provisions regarding the appointment of an assistant judge in the section (*q*) of this Act relating to appeals shall not apply :

(10) In the application of the section (*r*) of this Act relating to right to the use of elementary schools the expression "any public elementary school" means "any school in receipt of a parliamentary grant" :

(11) The first subsection of the section (*s*) of this Act relating to expenses of registration shall not apply, and in lieu thereof—

Any expenses properly incurred by any registration officer in the performance of his duties in relation to registration, including all proper and reasonable charges for trouble, care, and attention in the performance of those duties

(*q*) See sect. 14 (6), pp. 136—137, *supra*.
(*r*) See sect. 25, pp. 204—205, *supra*.
(*s*) See sect. 15, pp. 139—140, *supra*.

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and any cost incurred by him as party to an appeal (in this Act referred to as "registration expenses"), shall be paid by the council appointing the registration officer: Provided that, where a burgh within the meaning of the Local Government (Scotland) Act, 1889, is not a separate registration area, the council thereof shall pay to the council appointing the registration officer a contribution towards the registration expenses, and subsection (4) of section sixty and section sixty-six of that Act shall apply, with the necessary modifications, to such contribution. The amount necessary to defray any registration expenses or any contribution thereto, as the case may be, shall be assessed and levied in any one of the modes allowed by the Valuation Acts with respect to the costs and expenses of making up the valuation roll:

(12) In subsection (5) of the section (*t*) of this Act relating to expenses of registration the expression "the "council whose clerk the registra-

(*t*) See sect. 15 (5), p. 141, *supra*.

"tion officer is" means "the "council appointing the registra- "tion officer":

(13) The sections (*u*) of this Act relating to returning officers and to discharge of returning officers' duties by an acting returning officer shall not apply, and in lieu thereof:—

The returning officer at parliamentary elections (other than a university election) shall as heretofore be the sheriff of the sheriffdom within which the constituency is wholly situated or, where the constituency is situated in more than one sheriffdom, the sheriff specified in the Seventh Schedule (*x*) to this Act, and the power of appointing deputies conferred by section eight of the Ballot Act, 1872, on certain sheriffs shall be exerciseable by any sheriff who is returning officer for more than one constituency or who, by reason of sickness or unavoidable absence, is incapacitated from performing any of the duties devolving upon him as returning officer, and in the event of no

(*u*) See sects. 28 and 30, pp. 211 and 217—218, *supra*.

(*x*) Set out on p. 391, *infra*.

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such appointment being made by a sheriff so incapacitated or in the event of any vacancy in the office of sheriff at the time when any of such duties require to be performed, the sheriff substitute at the place at which the writ for the election is appointed to be received shall act as returning officer, and shall perform all the duties and have all the powers (including the power of appointing deputies) of such returning officer:

(14) Notwithstanding the provisions of subsection (1) of the section (*x*) of this Act relating to polls to be held on one day at a general election, etc., the poll at any general or bye-election for the constituency of Orkney and Zetland shall remain open for two consecutive days as heretofore:

(15) The provisions of the last paragraph of the section (*y*) of this Act relating to register for university constituencies shall not apply, and the said section shall have effect as if regulation sixteen of section

(*x*) See sect. 21, p. 161, *supra*.

(*y*) See sect. 19, pp. 153—154, *supra*.

two of the Universities Elections Amendment (Scotland) Act, 1881, were enacted therein in lieu of the said paragraph:

(16) The section (*z*) of this Act relating to place of election shall not apply, and in lieu thereof:—

In the case of parliamentary elections (other than an election for a university constituency), the place of election shall be a convenient room situated in such place as the Secretary for Scotland may by order from time to time determine:

(17) In the application of the section (*a*) of this Act relating to division of constituency into polling districts and appointment of polling places, and of the section (*b*) of this Act relating to re-arrangement of polling districts to suit new constituencies, the returning officer shall be substituted for the council having a power or duty under those sections to divide a constituency into polling districts, and the Lord

(*z*) See sect. 32, pp. 222—223, *supra*.
(*a*) See sect. 31, pp. 220—222, *supra*.
(*b*) See sect. 39, p. 303, *supra*.

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Advocate shall be substituted for the Local Government Board:

(18) Notwithstanding anything in this Act it shall not in the year nineteen hundred and nineteen and subsequent years be necessary—

(a) As regards any burgh or any registration unit therein, if the town council of the burgh so resolve, to show or distinguish in any spring register the names of persons entitled to vote as local government electors; or

(b) As regards any county or any registration unit therein, if the county council of the county so resolve, to show or distinguish in any register other than the autumn register in those years in which county council elections fall to be held the names of persons entitled to vote as local government electors:

Provided that—

(i) a resolution under this section shall not have effect unless it is passed as respects the spring register in any year before the first day of January in that year, and as

respects the autumn register in any year before the first day of July in that year ;

(ii) for all the purposes of the registration of local government electors in any burgh or county or registration unit therein to which any such resolution applies, the last preceding local government register shall remain in force until a new local government register comes into force :

In this subsection "burgh" has the same meaning as in the Town Councils (Scotland) Act, 1900, and "county" means a county exclusive of any such burgh : 63 & 64 Vict. c. 49.

(19) Except as expressly provided in this Act—

(a) Nothing in this Act shall take effect so as to deprive any royal or parliamentary burgh losing separate representation under this Act of any right privilege, or status, whether for purposes of local government or otherwise, hitherto enjoyed by such burgh as a royal or parliamentary burgh ; and

(b) Nothing in this Act or in any

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Act in force at the passing of this Act as read with this Act shall take effect so as to confer upon any police burgh acquiring separate representation under this Act any rights, privileges, or status, whether for purposes of local government or otherwise, not enjoyed by other police burghs.

In this subsection the references to royal, parliamentary, or police burghs shall be deemed to include references to the magistrates, town councils, and officers thereof, respectively, and the expression "separate representation" shall be construed as meaning the right to return, or to contribute as a burgh to return, a member, or members to Parliament.

Application to Ireland.

44. This Act shall apply to Ireland subject to the following modifications:—

(1) References to the Lord Chancellor shall be construed as references to the Lord Chancellor of Ireland.

The Lord Chancellor shall not sit as a member of the Court of Appeal on the hearing of appeals (*a*) from the county court under this Act.

(*a*) See sect. 14, pp. 135—137, *supra*.

In any county in which the jurisdiction of the county court is exercised for the time being by two or more county court judges, the appeals from the registration officer shall be dealt with by such one of those judges or his assistant judge as may be directed by the Lord Chancellor, or shall be distributed amongst those judges and their assistant judges according as may be so directed.

For the purposes of this Act, county court rules, orders, and scales of fees, costs, and charges may be made under sections seventy-nine, eighty-three, and eighty-four of the County Officers and Courts (Ireland) Act, 1877; but the provisions of those sections as to the concurrence of, or certification by, county court judges or the recorder shall not apply :

40 & 41 Vict. c. 56.

(2) The reference (*b*) to the Local Government Board in relation to the approval of a deputy for the execution of any of the powers and duties of a registration officer shall be construed as a reference to the Lord Lieutenant, and other references to that Board shall be

(*b*) See sect. 12 (3), pp. 130—131, *supra*.

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construed as references to the Local Government Board for Ireland :

(3)—(a) The clerk of the crown and peace for an administrative county, not being a county borough, shall be the registration officer for any parliamentary county which is coterminous with, or the whole or greater part of which is contained in, the administrative county, and for any parliamentary borough of which the whole or greater part is contained in the administrative county and no part is contained in a county borough, and the clerk of the crown and peace for a county borough shall be the registration officer for any parliamentary borough which is coterminous with, or the whole or any part of which is contained in, the county borough (*c*), and the council of that administrative county or county borough, as the case may be, shall be the council by which the registration expenses of that registration officer are to be paid, subject in cases where the parliamentary county or parliamentary borough is not coterminous with, or wholly contained in, the administrative county or county borough,

(*c*) See sect. 12 (2), p. 130, *supra*.

as the case may be, to such contribution by the council of any other administrative county or county borough as the Local Government Board may direct (*d*): Provided that the registration expenses to be paid by a council shall not include any charges for trouble, care, and attention, in the performance of duties which are performed by the registration officer in person: Provided also that the persons who, at the passing of this Act, are town clerks for the county borough of Dublin and the county borough of Belfast, respectively, shall, so long as they hold their respective offices, be the registration officers for the parliamentary borough of Dublin and the parliamentary borough of Belfast, respectively, and that the last preceding proviso shall not apply in their case.

(b) The registration expenses (*d*) shall be paid in the case of the council of a county borough, out of the rate or fund out of which the general expenses of the council are paid, or out of any other rate or fund which the Local Government Board may on the applica-

(*d*) See sect. 15, pp. 139—141, *supra*.

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tion of the council approve, and, in the case of a council of any other administrative county, out of the poor rate as a county at large charge, except in cases to which section twelve of the Parliamentary Registration (Ireland) Act, 1885, applies (*e*):

48 & 49 Vict. c. 17.

(c) In the event of any vacancy in the office of registration officer or in the event of the registration officer's incapacity to act, the powers and duties of the registration officer may be exercised and performed by any person temporarily appointed in that behalf by the Lord Chancellor (*f*):

(d) The power of advancing sums to a registration officer on account of registration expenses shall be exerciseable by the council by which those expenses are to be paid (*g*):

(e) This section, in its application to the county of Tipperary, shall have effect as if each parliamentary division of the county were a separate parliamentary county, and as if the clerk of the crown and peace for the entire

(*e*) See sect. 15, pp. 139—141, *supra*.
(*f*) See sect. 12 (4), p. 131, *supra*.
(*g*) See sect. 15 (5), p. 141, *supra*.

county were clerk of the crown and peace for the administrative counties of the North Riding and the South Riding respectively:

(4) Where an administrative county is divided into ridings the Lord Lieutenant may, by order, divide the parliamentary county into a corresponding number of registration areas, and make any adaptations of this Act which may be necessary in consequence of the division, and the clerk of the crown and peace for any riding shall be registration officer (*h*) for such of those areas as may be directed by the Lord Lieutenant:

(5) For the purposes of appeals from the registration officer, and also for the purpose of the revision of jurors' lists, the powers and jurisdiction of the county court shall, unless and until the Lord Lieutenant otherwise direct, be exercised, as respects the parliamentary borough of Dublin, by the persons who are at the time of the passing of this Act Dublin revising barristers, and as respects the parliamentary county of Dublin by the person who is at the time of the passing of this Act revising

(*h*) See sect. 12, pp. 130—131, *supra*.

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barrister for that county; but while those powers are so exercised, the provisions of this Act as to county courts shall apply to those persons as they apply to county courts, with the necessary modifications, and in particular with the modification that assistant judges may be appointed to assist those persons if, in the opinion of the Lord Chancellor, such appointment is necessary in order to enable the appeals to be disposed of with proper dispatch (*i*):

(6) The expenses of any printing required in connection with registration shall be treated as part of the expenses (*k*) of the registration officer under this Act, notwithstanding that the printing is arranged for by the county council under section ninety-six of the Local Government (Ireland) Act, 1898:

61 & 62 Vict. c. 37.

(7) The expression "assistant overseer" (*l*) means a town clerk, secretary of a county council, clerk of an urban district council, an existing clerk of the union, within the meaning of the Local Government (Ireland)

(*i*) See sect. 14, pp. 135—137, *supra*.
(*k*) See sect. 15, pp. 139—141, *supra*.
(*l*) See sect. 18, pp. 148—149, *supra*.

Act, 1898, and a collector of poor rate :

(8) Notwithstanding the limit imposed in subsection (2) of section twenty-seven of the County Officers and Courts (Ireland) Act, 1877, the salaries of clerks of the crown and peace may be increased by orders made under that subsection to such extent as appears to the Lord Lieutenant and Council, with the concurrence of the Treasury, to be proper, having regard to the additional duties imposed on those officers by this Act (*m*) : Provided that the liability of a clerk of the crown and peace to account for sums other than registration expenses received by him as registration officer shall not extend to any such increase of salary :

(9) The provisions (*n*) with respect to the division of constituency into polling districts and appointment of polling places shall have effect with the following modifications :—

(a) A reference to the council by which the registration expenses of the registration officer for any constituency are to be paid shall be substituted for the reference to

(*m*) See sect. 44 (3) (a), pp. 328—329, *supra*.

(*n*) See sect. 31, pp. 220—222, *supra*.

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the council whose clerk the registration officer for any constituency is, or by whom the registration officer is appointed (*n*):

(b) The powers of a council under the said provisions shall be exercised in accordance with rules made by the Local Government Board, and any exercise of the powers shall be subject to confirmation by that Board who may confirm the proposed division, appointment or alteration either with or without modifications, or may withhold confirmation (*n*):

(c) The Board may cause a local inquiry to be held as respects any questions arising in connection with the said provisions, and article thirty-two of the schedule to the Local Government (Application of Enactments) Order, 1898, shall apply to any such inquiry (*n*):

(10) Part IV. of this Act (*o*), and the provisions with respect to an urban district which is coterminous with, or wholly contained in, a registration area (*p*), or with respect to the persons who are to be returning officers (*q*), or with respect to

(*n*) See sect. 31, pp. 220—222, *supra*.
(*o*) See sect. 37, pp. 282—283, *supra*.
(*p*) See sect. 16 (1), p. 145, *supra*.
(*q*) See sect. 28, p. 211, and pp. 212—214, *supra*.

the discharge of returning officers' duties by an acting returning officer (*r*), or with respect to place of election (*s*), or with respect to the right to the use of elementary schools (*t*), shall not apply :

11)—(a) The qualifying period (*u*) shall be a period of six months ending on the fifteenth day of July and including that day :

Provided that one month shall be substituted for six months in the application of this provision to a person who is a naval or military voter or who has been serving as a member of the naval, military, or air forces of the Crown at any time during the said six months and has ceased so to serve ;

(b) One register (*x*) of electors only shall be made in each year, and all provisions (*x*) applicable to the autumn register shall apply as respects the yearly register (except that the yearly register shall remain in force until the fifteenth day of October in the next following year), and the provisions (*x*) as to the preparation of two registers in each

(*r*) See sect. 30, pp. 217—218, *supra*.
(*s*) See sect. 32, pp. 222—223, *supra*.
(*t*) See sect. 25, pp. 204—205, *supra*.
(*u*) See sect. 6, p. 94, *supra*.
(*x*) See sect. 11, pp. 125—126, *supra*.

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year and as to the spring register shall not apply :

(12) The yearly value (*y*) of premises shall be taken to be the rateable value where those premises are separately valued, and in any other case shall be deemed to be the amount which would, in the opinion of the registration officer, be the rateable value if they were separately valued :

(13) A person shall not be entitled to be registered or vote for a parliamentary county constituency in respect of a qualification in a parliamentary borough constituency :

(14) The following proviso shall be substituted for the proviso at the end of subsection (2) of section eight (*z*) : "Nothing in this provision shall "prevent a person voting at an "election to fill a casual vacancy "in a borough council in any ward "for which he is registered."

Application of Act to the Isles of Scilly.

45. The provisions of this Act shall apply to the Isles of Scilly as if those isles were an administrative county, and as if the council of those isles were a county council, and any expenses incurred by the council

(*y*) See sect. 1 (3), p. 3, sect. 4 (1) (c), p. 64, and sect. 7 (1), (a), (b), p. 98, *supra*.

(*z*) See pp. 101—102, *supra*.

under this Act shall be paid as general expenses of the council. Sect. 45.

Commencement of Act and first register.

46.—(1) This Act shall come into operation on the passing thereof: Provided that nothing in this Act shall affect—

(a) any parliamentary register for the time being in force, or any parliamentary elections, or the constitution of the House of Commons, until Parliament is first dissolved or ceases to have continuance after the first register to be prepared under this Act comes into force; or

(b) any local government register for the time being in force, or any local government elections, until the first register to be prepared under this Act comes into force.

(2) Notwithstanding anything in this Act, the first register to be prepared under this Act shall come into force on, and remain in force until, such date as His Majesty may fix by Order in Council (*a*), and His Majesty may by any such Order alter, in connection with the first register, any registration dates (*b*), including the dates governing the qualifying period, and direct that this Act shall have effect as so altered.

(*a*) See Order in Council of June 4th, 1918, rule 6, p. 749, Fifth Schedule, p. 752, *infra*, and Order in Council of March 4th, 1918, p. 613, *infra*.

(*b*) See Order in Council of June 4th, 1918, rule 6, p. 749, and Fifth Schedule, p. 752, *infra*.

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(3) If any difficulty arises as to the preparation of the first register or the holding of the first elections after the commencement of this Act, the Local Government Board may by order do any matter or thing which appears to them necessary for the proper preparation of the register or the proper holding of the elections.

(4) This section shall apply to any new register to be prepared and to any elections held during the continuance of the present war and a period of twelve months thereafter, as it applies to the first register (*b*) to be prepared under this Act and to the first elections (*c*) held after the commencement of this Act, respectively.

Repeal and short title.

47.—(1) The enactments mentioned in the Eighth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule (*d*).

(2) This Act may be cited as the Representation of the People Act, 1918.

(*b*) See sect. 46 (2) and (3), above.
(*c*) See sect. 46 (3), above.
(*d*) See pp. 391—402, *infra*.

SCHEDULES.

FIRST SCHEDULE.

Sections 13, 14 (1).

REGISTRATION RULES (*a*).

Form of Register.

1. The register shall be framed in separate parts (*b*) for each registration unit in the registration area.

Separate part of register for each registration unit.

The registration unit shall be the parish where the parish is wholly contained in one voting area, and where a parish is contained in more than one voting area, shall be each part of the parish contained in a separate voting area; and for the purposes of this rule the expression "voting area" means any polling district, electoral division, borough, county district other than a borough, and any ward of a borough, county district, or parish, and any other area for which a separate election at which the register is to be used is held.

2. The register shall, as respects each registration unit, contain the names of those who are entitled to vote as parliamentary electors and of those who are entitled to vote as local government electors, but shall be framed so as to show in separate divisions the names of those who are entitled to vote both as parliamentary and local government electors, the names of those who are entitled to vote as parliamentary electors but not as local government electors, and the names of those who are entitled to vote as local government electors but not as parliamentary electors (*c*).

Separate divisions for parliamentary and local government electors.

Where a person whose name is entered as a local government elector in any registration unit is not entitled

(*a*) See sect. 13, set out on pp. 133—134, and sect. 14 (1), p. 135, *supra*.

(*b*) See Order in Council of June 4th, 1918, rule 4, p. 748, *infra*, as to supplement to be added to part of register relating to polling district.

(*c*) See Form of Register, pp. 577—578, *infra*.

to vote in respect of that entry at the local government elections for all the local government electoral areas which comprise that unit, the registration officer shall place a mark against his name, with a note to signify that the person against whose name the mark is placed is not entitled to vote for the local government elections mentioned in the note, and any such note shall be deemed to be part of the register (*c*).

Absent voters list.

3. The registration officer shall prepare and add as a supplement to the register a separate list (*d*) for the whole registration area, or, where the area includes more than one constituency, for each constituency in the area, of persons entitled to vote as absent voters (*e*) (in this Act referred to as the absent voters list) without, however, removing the names of those voters from any other part of the register. Every such list shall be made up according to polling districts (*f*).

Register to be made up in street or alphabetical order.

4. Where the registration unit is situated in a parliamentary borough, the names in the register shall be arranged in street order, unless the authority whose clerk the registration officer is or by whom he is appointed considers that, having regard to the general character of the area forming the registration unit, arrangement in street order is inapplicable; and where the registration unit is situated in a parliamentary county, the names in the register shall be arranged in alphabetical order, unless the said authority considers that, having regard to the general character of the area forming the registration unit, arrangement in street order is possible and convenient (*g*).

Effect of register.

5. The registers for the registration units making up any constituency, so far as they relate to parliamentary

(*c*) As to the mark and note here referred to, see p. 577, *infra*.
(*d*) For arrangement of names in and form of absent voters list, see Order in Council of June 4th, 1918, par. 3, p. 748, *infra*, and Third Schedule, p. 751, *infra*.
(*e*) See sect. 23, pp. 173—176, and pp. 177—178, *supra*.
(*f*) See sect. 31, pp. 220—222, *supra*.
(*g*) For Form of Register in street order and in alphabetical order, see pp. 603—604, *infra*.

electors, shall together form the register of parliamentary electors for that constituency, and the registers of the registration units making up any local government electoral area, so far as they relate to local government electors, shall together form the register of local government electors for that area.

Duty of Registration Officer to prepare and publish Lists.

Duty of registration officer to prepare electors' lists.

6. It shall be the duty of the registration officer to cause a house to house or other sufficient inquiry to be made, and to prepare or cause to be prepared lists (in this Act referred to as electors lists) for each registration unit within his registration area of all persons appearing to be entitled to be registered (*g*) as parliamentary or local government electors in the spring and autumn register respectively, and to publish (*h*) those lists in the form in which the register is to be framed, as respects the lists for the spring register (*i*) on or before the first day of February (*j*), and as respects the lists for the autumn register (*i*) on or before the first day of August (*j*).

The registration officer shall at the same time publish (*h*) a notice specifying the mode in which, and the time within which, claims and objections are to be made under these rules.

Duty of overseers to prepare electors lists and furnish information if required.

7. The registration officer, where he does not himself perform the duties of overseers, may require the overseers of any parish which, or any part of which, forms a registration unit within his registration area to make the necessary inquiries and to prepare the electors lists for that unit (*k*) and publish (*l*) the lists in the unit on his behalf,

(*g*) See sect. 13, pp. 133—134, and p. 134, *supra*, also sects. 1, 3, 4 and 5.

(*h*) See rule 31, pp. 350—351, *infra*. As to the period during which, as regards the first register, these documents must be kept published, Order in Council of June 4th, 1918, rule 1, p. 748, *infra*, and First Schedule, p. 750, *infra*.

(*i*) See sect. 11, pp. 125—126, *supra*.

(*j*) This date as regards the first register has been altered to 29th June. See pp. 128—129, *supra*.

(*k*) See rule 1, p. 339, *supra*.

(*l*) See rule 31, pp. 350—351, *infra*.

and it shall be the duty of the overseers to furnish lists as so required, and also at any time, if required by the registration officer, to furnish that officer with information respecting any persons resident or occupying land or premises in their parish, or the removal of any person from the parish.

Any reasonable expenses incurred by the overseers in performing any duties required of them in pursuance of this rule (including reasonable remuneration where the duties are performed by an assistant overseer or other paid officer) shall be paid by the registration officer as part of his registration expenses (*m*). In this rule the expression "overseers" includes any person for the time being executing any of the duties of overseers.

Corrupt and illegal practices list.

8. The registration officer shall publish (*n*), together with the electors lists, the corrupt and illegal practices list (if any) made by him under section thirty-nine of the Corrupt and Illegal Practices Prevention Act, 1883 (*o*), or made by or sent to him under section twenty-four of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884.

Claims to be Registered.

Claim to be sent to registration officer.

9. Any person who claims to be entitled to be registered as a parliamentary or local government elector, and who is not entered, or who is entered in an incorrect place or manner or with incorrect particulars on the electors lists, may claim to be registered, or to be registered correctly, by sending (*p*) to the registration officer a claim in the prescribed form (*q*) not later than the eighteenth

(*m*) See sect. 15, pp. 139—141, *supra*, and scale of registration expenses set out at pp. 610—612, *infra*.

(*n*) See rule 31, pp. 350—351, *infra*. As to the period during which, in connection with the first register, the corrupt and illegal practices list must be kept published, see Order in Council of June 4th, 1918, rule 1, p. 748, *infra*, and First Schedule, p. 750, *infra*.

(*o*) Set out at pp. 713—714, *infra*.

(*p*) See rule 34, pp. 351—352, *infra*.

(*q*) For forms (1 to 9), see pp. 562—569, *infra*.

day of February (*r*) where the claim is for the spring register, and the eighteenth day of August (*r*) where the claim is for the autumn register.

Form of claim.

10. The form of claim (*s*) for a person making a claim on his own behalf shall contain a declaration of the qualification of the claimant to be registered, including a declaration that the claimant has attained the required age, and is a British subject, and of the character in which the claimant desires to be registered, that is to say, either as a parliamentary elector, or as a local government elector, or as a local government elector who is not entitled to vote for all local government elections, and where the claimant claims in respect of a non-residential qualification a declaration of residence or, in case such person has no settled residence, an address to which communications may be sent. A note shall also be added to the form warning the claimant that any false declaration for the purpose of this provision will involve a penalty.

Where a claim is made on behalf of a claimant by another person, the registration officer shall not enter the name of the claimant on the register, unless the matters required to be stated in the declaration under the foregoing provision are proved to his satisfaction.

Publication of lists of claimants.

11. It shall be the duty of the registration officer to publish (*t*) the lists of claimants, as respects the lists for the spring register not later than the twenty-fourth day of February (*u*), and as respects the lists for the autumn register not later than the twenty-fourth day of August (*u*).

(*r*) As regards the first register under the Act, 17th July is substituted for this date. See pp. 128—129, *supra*.

(*s*) For forms (1 to 9), see pp. 562—569, *infra*.

(*t*) See rule 31, pp. 350—351, *infra*. As to the period during which, in connection with the first register, the lists of claimants must be kept published, see Order in Council of June 4th, 1918, rule 1, p. 748, *infra*, and First Schedule, p. 750, *infra*.

(*u*) As regards the first register under the Act, 25th July is substituted for this date. See pp. 128—129, *supra*.

Objections.

Notice of objections.

12. Any person whose name appears on the electors lists for a constituency or local government electoral area may object to the registration of any person whose name is included in the electors lists for the constituency or the local government electoral area, as the case may be, by sending notice of objection in the prescribed form (*u*) to the registration officer not later than the fifteenth day of February (*x*) in the case of the spring register and the fifteenth day of August (*x*) in the case of the autumn register, and may object to the registration of any person whose name is included in the list of claimants by sending (*y*) notice of objection in the prescribed form (*u*) to the registration officer not later than the seventh day of March (*z*) in the case of the spring register and the fourth day of September (*z*) in the case of the autumn register.

Notice to persons affected by objection.

13. The registration officer shall, as soon as practicable after receiving any notice of objection, send (*y*) a copy of the notice to the person in respect of whose registration the notice of objection is given.

Publication of objections to lists.

14. It shall be the duty of the registration officer to publish (*a*) a list of the names of persons to whose registration notice of objection has been given not later than the twenty-first day of February (*b*) in the case of the spring register and not later than the twenty-first day of August (*b*) in the case of the autumn register.

Publication of objections to claims.

15. It shall be the duty of the registration officer to publish (*a*) a list of the names of persons included in the list

(*u*) For form, see p. 570, *infra*.

(*x*) As regards the first register under the Act, 10th July has been substituted for this date. See pp. 128—129, *supra*.

(*y*) See rule 34, pp. 351–352, *infra*.

(*z*) As regards the first register under the Act, 31st July has been substituted for this date. See pp. 128—129, *supra*.

(*a*) See rule 31, pp. 350—351, *infra*. As to the period during which, in connection with the first register, the list of names must be kept published, see Order in Council of June 4th, 1918, rule 1, p. 748, *infra*, and First Schedule, p. 750, *infra*.

(*b*) As regards the first register under the Act, 19th July has been substituted for this date. See pp. 128—129, *supra*.

of claimants to whose registration notice of objection has been given as soon as practicable after the seventh day of March (*c*) in the case of the spring register and the fourth day of September (*c*) in the case of the autumn register.

Absent Voters List.

Absent voters list.

16. Any person entitled to be registered as a parliamentary elector (*d*) may, not later than the eighteenth day of February (*e*) where the claim is for the spring register, and the eighteenth day of August (*e*) where the claim is for the autumn register, claim (*f*) to be placed on the absent voters list (*g*); and the registration officer, if satisfied that there is a probability that the claimant, by reason of the nature of his occupation, service, or employment, may be debarred from voting at a poll at parliamentary elections held during the time the register is in force, shall place the claimant (if registered) on the absent voters list.

Obligation to place naval and military voter on absent voters list without claim.

17. It shall be the duty of the registration officer, without any claim being made for the purpose, to place on the absent voters list (*g*) any naval or military voter (*h*), unless—

(a) that person, not later than the eighteenth day of February (*i*) as respects the spring register, and the eighteenth day of August (*i*) as respects the

(*c*) As regards the first register under the Act, 31st July has been substituted for this date. See pp. 128—129, *supra*.

(*d*) See sect. 1, pp. 1—3, and sect. 4 (1), pp. 63—64, *supra*.

(*e*) As regards the first register under the Act, 31st July has been substituted for this date. See pp. 128—129, *supra*.

(*f*) For form of claim, see p. 575, *infra*. As to the course to be adopted by the registration officer when he receives a naval or military voter's statement too late to include his name in the electors lists, see Order in Council of June 4th, 1918, rule 7, p. 749, *infra*.

(*g*) For order of names in and form of absent voters list, see Order in Council of June 4th, 1918, rule 3, p. 748, and Third Schedule, p. 751, *infra*. See also *ibid.*, rule 9, p. 749, *infra*.

(*h*) See sect. 5, pp. 76—79, *supra*.

(*i*) As regards the first register under the Act, 17th August has been substituted for this date. See Order in Council of June 4th, 1918, rule 6, p. 749, *infra*, and Fifth Schedule, p. 752, *infra*.

autumn register, gives notice (*m*) to the registration officer that he does not desire to be placed upon that list; or

(b) that person is registered, in pursuance of a claim (*n*) for the purpose, for the constituency in which he has an actual residence qualification.

Information to registration officers by departments.

18. The Admiralty, the Army Council, and the Air Council, either directly or through officers appointed by them, shall in the prescribed manner furnish to the registration officers in the several constituencies such information (*o*) as to the names and addresses of Naval and Military voters and such other particulars as may be necessary for the purpose of their registration and of their voting as such, and it shall be the duty of the Local Government Board to render any assistance that may be required by the Admiralty, the Army Council, and the Air Council in conveying such information to the registration officers:

Provided that the Admiralty, Army Council, and Air Council shall not be required to supply any particulars which in their declared opinion would interfere with the proper conduct of the war.

Record of addresses to be kept.

19. The registration officer shall keep a record of any address which may be furnished to him by any person placed on the absent voters list, or by the Admiralty, Army Council, Air Council or Board of Trade, as the address which is to be for the time being the address of the voter for the purpose of the provisions relating to voting by absent voters (*p*) and, as soon as practicable, shall cause instructions to be sent to the voter as to the mode of voting under those provisions.

The record of addresses shall be open to inspection under the same conditions (*q*) that govern the register.

(*m*) No form of notice is prescribed.

(*n*) For form of claim, see p. 569, *infra*.

(*o*) As to the course to be adopted by the registration officer when he receives the information too late to include the naval or military voter in the electors lists, see Order in Council of June 4th, 1918, rule 7, p. 749, *infra*.

(*p*) See sect. 23, pp. 173—176, *supra*.

(*q*) See rule 27, p. 349, *infra*.

Preparation of the Register from the Lists.

Consideration of objections.

20. The registration officer shall, as soon as practicable, consider all objections of which notice has been given to him in accordance with these rules (*r*), and for that purpose shall give at least five clear days' notice to the objector and to the person in respect of whose registration the notice of objection has been given, of the time and place at which the objection will be considered by him.

Consideration of claims.

21. The registration officer shall also consider all claims of which notice is given to him in accordance with these rules (*s*), and in respect of which no notice of objection is given, and, if he considers that the claim may be allowed without further inquiry, shall give notice (*t*) to the claimant that his claim is allowed.

If the registration officer is not satisfied that any such claim can be allowed without inquiry, he shall give at least five clear days' notice (*t*) to the claimant of the time and place at which the claim will be considered by him.

Supplemental powers on consideration of claims and objections.

22. If on the consideration of any claim or objection it appears to the registration officer that the claimant, or person in respect of whose name objection is taken, is not entitled to be entered on the register in the character in which he claims to be registered, or in which he is entered on the list, but is entitled to be entered on the register in another character or in another place on the register, the registration officer may decide that the name of that person shall be so entered on the register.

Correction of lists.

23. The registration officer shall make such additions and corrections in the electors lists (including the absent voters list) as are required in order to carry out his decisions on any objections or claims, and shall also make any such corrections in those lists by way of the removal of duplicate entries (subject to any expression of choice by the person affected as to those entries), the expunging

(*r*) See rules 12—15, pp. 344—345, *supra*.
(*s*) See rules 9—11, pp. 342—343, *supra*.
(*t*) See rule 34, pp. 351—352, *infra*.

of the names of persons who are dead or subject to any legal incapacity (*q*), or the placing of marks (*r*) or the correction of marks placed against the name of an elector, or otherwise as he thinks necessary in order to secure that no person is registered as a parliamentary elector in respect of more than one qualification in the same constituency, or as a local government elector in respect of more than one qualification—

(a) in the same borough for the purpose of borough council elections; or

(b) in the same electoral division or ward for the purpose of county council, metropolitan borough council, and urban district council elections; or

(c) in the same parish or ward of a parish for the purpose of rural district council, guardians, or parish elections;

and otherwise to make those lists complete and accurate as a register.

Voting in different polling districts.

24. Any person whose name shall appear in the list of parliamentary voters of any registration unit in any county constituency or district of boroughs, and who resides outside the polling district (*s*) in which he is entitled to be registered, shall be at liberty to make his claim (*t*) before the registration officer to vote at any other polling place within the same constituency (*u*).

Any such person shall be admitted to vote at such polling place accordingly.

Objections to corrections.

25. Where the registration officer makes any correction in the lists (including the absent voters list) otherwise than in pursuance of a claim or objection, or for the purposes of correcting a clerical error, he shall give notice (*x*) to the person affected by the correction, and give that person

(*q*) See pp. 4—7, 42, 67—68, 74, 75 and 82, *supra*.
(*r*) See rule 2, pp. 339—340, *supra*.
(*s*) See sect. 31, pp. 220—222, *supra*.
(*t*) As to the time for making this claim and for form, see Order in Council of June 4th, 1918, rule 5, p. 748, *infra*.
(*u*) See *ibid.*, rule 4, p. 748, *infra*.
(*x*) See rule 34, pp. 351—352, *infra*.

an opportunity of objecting to the correction, and, if necessary, of being heard with respect thereto.

Formation of lists into register.

26. The registration officer shall make all the necessary corrections of the lists (including the absent voters list) and do everything necessary to form those lists into a register (with a separate letter and a separate series of numbers for each polling district (*y*)) in time to allow the publication of the lists so corrected as a register as required by these rules (*z*).

Duty to publish and deliver Copies of the Register.

Publication of register.

27. It shall be the duty of the registration officer to publish the spring register not later than the fifteenth day of April (*a*), and the autumn register not later than the fifteenth day of October (*a*) in each year, by publishing (*b*) a notice that a copy of the register is open to inspection at his office, and that copies of the part of the register relating to any registration unit are open to inspection during business hours in the registration unit at the place mentioned in the notice.

It shall be the duty of the registration officer to keep copies of the register for inspection in his office, and also to arrange for copies of the part of the register relating to any registration unit being kept for inspection in that unit either in the principal post office (if the Postmaster General gives authority for the purpose) or at some other convenient place to which the public have access to be arranged by him.

It shall be the duty of the registration officer to transmit a copy of the register, as soon as may be after it is published, to the Local Government Board.

(*y*) See Form of Register, p. 577, *infra*.
(*z*) See rules 6—8, pp. 341—342, *supra*.
(*a*) As regards the first register under the Act, 1st October is substituted for this date. See pp. 128—129, *supra*.
(*b*) See rule 31, pp. 350—351, *infra*. As to the period during which the first register is to be kept published, see Order in Council of June 4th, 1918, rule 1, p. 748, *infra*, and First Schedule, p. 750, *infra*.

Delivery of copies of the register.

28. It shall be the duty of the registration officer, on the application of any person during business hours and on payment of the prescribed fee (*c*), to furnish copies to the applicant of the register or of so much of the register as relates to any registration unit.

Appeals from Registration Officer.

Notice of appeal from registration officer.

29. A person desiring to appeal against the decision of a registration officer must give notice of appeal in the prescribed form (*d*) to the registration officer and to the opposite party, if any, when the decision is given or within five days thereafter, specifying the grounds of appeal.

The registration officer shall forward any such notices to the county court in manner directed by rules of court (*e*) together, in each case, with a statement of the material facts which, in his opinion, have been established in the case, and of his decision upon the whole case and on any point which may be specified as a ground of appeal, and shall also furnish to the court any further information which the court may require and which he is able to furnish.

Appeals relating to the same point.

30. Where it appears to the registration officer that any notices of appeal given to him are based on similar grounds, he shall inform (*e*) the county court of the fact for the purpose of enabling the county court (if the court thinks fit) to consolidate the appeals, or select a case as a test case.

General.

Publication of documents.

31. Where the registration officer by these rules is required to publish any document, and no specific provision is made as to the mode of publication, he shall publish the document by making copies of the document

(*c*) For the amount of this fee, see Order in Council of June 4th, 1918, rule 2, p. 748, and Second Schedule, p. 751, *infra*.
(*d*) For forms, see p. 575—576, *infra*.
(*e*) See p. 639, *infra*.

available for inspection by the public in his office, and in the chief post office (if the Postmaster General gives authority for the purpose), or some other convenient place in the area forming the registration unit to which the document relates and, if he thinks fit, in any other manner which is, in his opinion, desirable for the purpose of bringing the contents of the document to the notice of those interested.

Any document required to be published shall be kept published for the prescribed time (*f*).

Any failure to publish a document in accordance with these rules shall not invalidate the document, but this provision shall not relieve the registration officer from any penalty (*g*) for such a failure.

If any person without lawful authority destroys, mutilates, defaces or removes any notice published by the registration officer in connection with his registration duties, or any copies of a document which have been made available for inspection in pursuance of these rules, he shall be liable on summary conviction to a fine not exceeding five pounds.

Duty of registration officer to supply forms.

32. The registration officer shall, without fee, on the application of any person, supply forms of claims and notices of objections.

Supply of copies of claims, objections, &c.

33. The registration officer shall, on the application of any person, allow that person to inspect, and take extracts from, or on payment of the prescribed fee (*h*), supply to that person copies of, the electors lists for any registration unit in his area and any claim or notice of objection made under these rules.

Mode of sending notices, &c.

34. Any claim or notice of objection which is under these rules to be sent to the registration officer may be sent to him by post addressed to him at his office.

(*f*) See Order in Council of June 4th, 1918, rule 1, p. 748, *infra*, and First Schedule, p. 750, *infra*.

(*g*) See sect. 13 (1), p. 133, *supra*.

(*h*) For the amount of this fee, see Order in Council of June 4th, 1918, rule 2, p. 748, and Second Schedule, p. 751, *infra*.

Any notice which is required to be sent by the registration officer under these rules to any person shall be sufficiently sent if sent by post to the address of that person as given by him for the purpose, or as appearing on the lists, or if there is no such address, to his last known place of abode.

Information from householders.

35. The registration officer may require any householder or any person owning or occupying any land or premises within his area, or the agent or factor of such person, to give, in the prescribed form (*i*), any information in his possession which the registration officer may require for the purpose of his duties as registration officer; and if any person fails to give the required information, or gives false information, he shall be liable, on summary conviction, to a fine not exceeding twenty pounds. Any notice requiring information under this rule may be sent by post.

Access to national register.

36. The registration officer shall, subject to such directions (*k*) as the Local Government Board may give, have access to the national register compiled under the National Registration Act, 1915.

Declaration as to age and nationality.

37. The registration officer, before registering any person as an elector, may, if he thinks it necessary—

(a) require that person either to produce a certificate of birth or, if that is not practicable or convenient, to make a statutory declaration that such person has attained the required age, and

(b) require that person to produce a certificate of naturalisation or to make a statutory declaration that he is a British subject.

Where a declaration is so required, any fee payable in connection therewith shall be paid by the registration officer as part of his registration expenses (*l*), and the declaration shall be exempt from stamp duty.

(*i*) For forms (1 to 6), see pp. 556—561, *infra*.
(*k*) See p. 580, *infra*.
(*l*) See sect. 15, pp. 139—141, *supra*.

The registration officer shall during business hours allow any person to inspect and take a copy of any such declaration.

Power to obtain a certificate of birth at reduced fee.

38. Where for the purpose of the provisions of this Act any person requires a certificate of birth, that person shall on presenting a written requisition in the prescribed form (*m*) and containing the prescribed particulars, and on payment of a fee of sixpence, be entitled to obtain a certified copy of any entry of the birth of that person in the birth register under the hand of the registrar or the superintendent registrar having the custody thereof, and forms of requisition for the purpose shall on application be supplied without charge by every registrar of births and deaths and by every superintendent registrar.

Hearing of claims and objections.

39. On the consideration of any claim or objection or other matter by the registration officer, any person appearing to the registration officer to be interested may appear and be heard either in person or by any other person, other than counsel, on his behalf.

Power to require evidence on oath.

40. The registration officer may at the request of any person interested, or if he thinks fit without such request, on the consideration of any claim or objection or other matter require that the evidence tendered by any person should be given on oath and may administer an oath for the purpose.

Provisions as to misnomer or inaccurate description.

41. No misnomer or inaccurate description of any person or place on any list or on the register or in any notice shall prejudice the operation of this Act or these rules as respects that person or place, provided that the person or place is so designated as to be commonly understood.

Reckoning of time.

42. In reckoning time for the purpose of these rules, Sunday, Christmas Day, Good Friday, and any bank holiday or day set apart as a public holiday, or day of

(*m*) See p. 576, *infra*.

public fast, or public thanksgiving shall be excluded; and where anything is required by these rules to be done on any day falls to be done on any such day, that thing may be done on the next day not being one of any such days.

Application of Rules to Scotland and Ireland.

Application to Scotland.

43. These rules shall apply to Scotland subject to the following modifications, namely:—

The Secretary for Scotland shall be substituted for the Local Government Board:

The provision for the transmission of a copy of the register to the Local Government Board shall not apply:

Rule 2 shall apply as if after the words "in separate divisions" there were inserted the words "or otherwise to distinguish:"

For the reference to section twenty-four of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, there shall be substituted a reference to section twenty-nine of the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890.

Application to Ireland.

44. These rules shall apply to Ireland subject to the following modifications, namely:—

(1) References to the Local Government Board shall be construed as references to the Local Government Board for Ireland.

(2) The district electoral division as constituted under the Local Government (Ireland) Act, 1898, shall be the registration unit; but—

(a) where a district electoral division is divided into wards, each such ward shall be treated as a separate registration unit; and

(b) where a district electoral division is situate partly in one parliamentary polling district, partly in another, or partly within and

partly without any town (within the meaning of the Local Government (Ireland) Act, 1898), or ward of a borough or town, each part shall be treated as a separate registration unit;

and references to parishes or parts of parishes shall not apply.

(3) References to the autumn register shall be construed as references to the yearly register, and references to the spring register shall not apply.

(4) The expression "overseers" includes town clerks, secretaries of county councils, clerks of urban district councils, existing clerks of the union within the meaning of the Local Government (Ireland) Act, 1898, and collectors of poor rate.

(5) The power of the registration officer in certain cases to require the overseers to perform duties in connection with registration under this Act shall be construed in all cases as an obligation upon him to require each person holding the office of overseer to perform duties analogous to the duties which, but for the passing of this Act, would have been performed by that person by virtue of his office under the enactments relative to registration in force at the commencement of this Act, and it shall be the duty of every such person to comply with those requirements.

In order to give full effect to the foregoing provision the clerk of the crown and peace for a county borough shall, as respects any parliamentary borough for which he is registration officer, appoint the town clerk of the county borough to act as his deputy for the purposes of Rules 9 to 15 and for the purpose of publishing the lists and notices to be published under Rules 6 and 8 of this Schedule if the town clerk so desires, and any town clerk so appointed shall,

for the purposes aforesaid, have the like powers and duties and be subject to the like liabilities as if he were registration officer.

Any question which may arise as to what duties are analogous duties within the meaning of the provision aforesaid shall be determined by the Local Government Board, whose determination shall be final.

(6) The overseers shall be entitled to payment for services performed and expenses incurred by them in the execution of any duties under these rules. The payments shall be made at such times as may be fixed by order of the Local Government Board for Ireland under this Schedule, and any sum payable to an overseer under this provision shall be treated for the purposes of this Act as part of the registration expenses of the registration officer on whose requisition the services were performed or the expenses were incurred.

This provision shall apply to any superintendent registrar of births and deaths or clerk of the union who is not an existing clerk of the union, so far as respects lists or information supplied by him on the requisition of the registration officer in connection with deaths in like manner as it applies to overseers.

(7) The reference to the authority whose officer the registration officer is, or by whom he is appointed, shall be construed as a reference to the county borough council in the case of registration units in a county borough, and as a reference to the county council in the case of registration units in an administrative county, and the register for any registration unit in an administrative county shall be arranged alphabetically in townland order if the county council consider that such arrangement is more convenient than

arrangement in alphabetical order of names or in street order.

(8) Rule 2 of this Schedule shall be construed as if the words "or otherwise to distinguish" were inserted after the words "in separate divisions," and as if the direction as to placing marks against the names of local government electors were omitted.

(9) For the direction to the registration officer in Rule 23 of this schedule to secure that no person is registered as a local government elector in respect of more than one qualification in the areas and for the purposes therein specified, there shall be substituted a direction to secure that no person is registered as a local government elector in respect of more than one qualification in the same district electoral division or ward.

SECOND SCHEDULE.

Section 21 (1).

Part I. (*n*).

Modifications of the Ballot Act, 1872 (First Schedule).

The following provisions shall be inserted in the First Schedule to the Ballot Act, 1872, after Rules 2 and 14 respectively (*o*), that is to say:—

"2A. In an election of members to serve in a new Parliament of the United Kingdom the day fixed by the returning officer for the election shall in all cases be the eighth day after the date of His Majesty's gracious Proclamation declaring the calling of the Parliament."

(*n*) See sect. 21 (1), set out on p. 161, *supra*.

(*o*) For Rules 2 and 14, see pp. 682—683 and 685 respectively.

"14A. In an election of members to serve in a new Parliament of the United Kingdom, the day appointed by the returning officer for the poll shall in all cases be the ninth day after the day fixed for the election."

Section 22 (2).

PART II. (*p*).

Questions.

1. In the case of a man voting in respect of a residence qualification—

Have you already voted at this general election in respect of a residence qualification?

2. In the case of a man voting in respect of a qualification other than a residence qualification—

Have you already voted at this general election in respect of a qualification other than a residence qualification?

3. In the case of a woman voting at an election other than a university election—

Have you already voted at this general election?

[NOTE.—Unless the answer to the question is in the negative the woman shall not vote unless she satisfies the presiding officer that her previous vote was given at a university election.]

Declarations at University Election (*q*).

(*Applicable only at a General Election.*)

(*In the case of a man*)—"I have not voted at this general election in respect of any qualification other than a residence qualification."

(*In the case of a woman*)—"I have not voted at this general election for any other university constituency."

(*p*) See sect. 22 (2), set out on p. 165, *supra*, and see also pp. 167—172, *supra*.

(*q*) See p. 172, *supra*.

THIRD SCHEDULE.

Section 23 (4) (*d*).

PROVISIONS AS TO VOTING BY PROXY (*r*).

1. A proxy must be appointed by means of a proxy paper issued to the elector, or to some person on behalf of the elector, or to the person appointed as proxy, by the registration officer of the constituency in which the elector is registered, on an application made or authorised by the elector in accordance with regulations (*s*) under this Act.

2. After a proxy paper for any constituency has been issued in accordance with this Act, the elector shall, unless the proxy paper is cancelled in accordance with this Act,—

(a) be entitled to vote by proxy in that constituency; and

(b) be prohibited from voting otherwise than by proxy in that constituency;

until the time for which the proxy paper is in force has expired.

3. It shall be the duty of the registration officer, on any application for a proxy paper, to issue a proxy paper to the applicant, or to some person on his behalf, or to the person appointed as proxy, if he is satisfied that the applicant is registered on the parliamentary register of electors for the constituency in respect of which the application is made, and is, at the time of the application, entitled to appoint a proxy (*t*).

4. A proxy paper shall remain in force only so long as the parliamentary register of electors which is in force at the time the proxy paper is issued remains in force (*u*):

Provided that a proxy paper issued during the continuance of the present war, or a period of twelve months thereafter, shall remain in force until the termination of

(*r*) See sect. 23 (4) (d), set out on p. 176, *supra*.

(*s*) For these regulations, see the Proxy Paper Order, 1918, p. 754 *et seq*.

(*t*) See sect. 23 (4), pp. 174—176, *supra*.

(*u*) See sect. 11, set out on p. 125, *supra*.

that period, so long as the elector continues to be registered and the proxy paper is not cancelled.

5. A person shall not be appointed as proxy under this Act, unless the person appointed is the wife, husband, parent, brother, or sister of the elector, or is registered as a parliamentary elector for the constituency or one of the constituencies in which the elector is registered:

Provided that the brother or sister shall not be capable of being appointed proxy unless of full age (*u*).

6. An elector shall not appoint more than one person as proxy to vote on his behalf in the same constituency, and in any case not more than two persons (*x*).

7. A person shall not vote as proxy on behalf of more than two absent voters at an election in any constituency, unless that person is voting as the husband or wife, or the parent, brother, or sister of the absent voter.

8. A registration officer shall keep a list of absent voters (*y*) entitled to vote by proxy in any constituency within his area, and of the persons entitled to vote as proxies, and that list shall be open to inspection during business hours at some convenient place named by the registration officer in the constituency.

A registration officer shall, on the application of any person, allow that person to take extracts from, or, on payment of the prescribed fee (*z*), supply to that person copies of the list.

9. The Ballot Act, 1872 (*a*), and any other Act regulating the holding of parliamentary elections (*b*), including

(*u*) See p. 4, *supra*.

(*x*) See sect. 8 (1), set out on pp. 100—101, *supra*.

(*y*) See First Schedule, Rules 16, 17, pp. 345—346, *supra*.

(*z*) For this fee, see Order in Council of June 4th, 1918, rule 2, p. 748, and Second Schedule, p. 751, *infra*.

(*a*) See p. 672 *et seq*.

(*b*) This would include the Corrupt and Illegal Practices (Prevention) Acts, 1883 and 1895, and the present Act.

any provisions imposing penalties (*c*) in connection with voting at those elections, shall apply to persons voting as proxies in pursuance of this Act as they apply to voters, however described in those Acts, with such modifications as may be prescribed (*d*) for the purpose of adapting the provisions of those Acts to voting by proxy; and any provisions of those Acts imposing penalties for offences in connection with ballot papers or the official mark on a ballot paper may be applied by the regulations (*e*) to proxy papers and any official mark on a proxy paper.

10. If any person—

(a) who is for the time being entitled to vote by proxy (*f*) in a constituency under this Act, himself votes or attempts to vote at any parliamentary election in that constituency otherwise than by means of the proxy paper, while the proxy paper is in force; or

(b) votes or attempts to vote as proxy on behalf of more than two absent voters at an election in any constituency unless that person is voting as the husband or wife, or the parent, brother, or sister of the absent voter; or

(c) votes or attempts to vote at any election under the authority of a proxy paper when he knows or has reasonable grounds for supposing that the proxy paper has been cancelled, or that the elector to whom or on whose behalf the proxy paper has been issued is dead or no longer entitled to vote at that election;

that person shall be guilty of an illegal practice (*g*) within

(*c*) See pp. 285—286, 287—292, heading (3) on pp. 294—295, and heading (12) on p. 298, *supra*.

(*d*) Up to the time of going to press no such modifications have been prescribed.

(*e*) These regulations have not at the time of going to press been made.

(*f*) See sect. 23 (4), set out on pp. 174—176, *supra*.

(*g*) See p. 299, *supra*.

the meaning of the Corrupt and Illegal Practices Prevention Act, 1883, and the expression "illegal practice" shall be construed accordingly: Provided that the court before whom a person is convicted under this provision may, if they think it just in the special circumstances of the case, mitigate or entirely remit any incapacity imposed by section ten of the Corrupt and Illegal Practices Prevention Act, 1883 (*h*).

11. A ballot paper shall not be delivered to a person who claims to vote as proxy for the purpose of so voting unless he produces the proxy paper to the presiding officer at the polling station, and such questions may be asked of any person at a parliamentary election who claims to vote as proxy for any elector (in addition to those already authorised to be asked (*i*)) as may be prescribed (*k*).

12. Stamp duty shall not be chargeable on any proxy paper under this Act.

13. A proxy paper may be cancelled by an elector by giving notice to the registration officer in the prescribed form (*l*).

14. A notice cancelling a proxy paper shall not take effect as respects any election unless it is received by the registration officer before the day of nomination (*m*).

15. In the application of this schedule to Scotland the expression "the registration officer of the constituency in which the elector is registered" means "the registration officer of the registration area in which the elector is registered."

(*h*) See p. 299, *supra*.

(*i*) See pp. 167—172, *supra*.

(*k*) At the time of going to press these questions have not been prescribed.

(*l*) For this form, see p. 757, *infra*.

(*m*) See pp. 179—180, *supra*.

FOURTH SCHEDULE.

Section 33 (1).

PROVISIONS TO BE SUBSTITUTED FOR PART IV. OF THE FIRST SCHEDULE TO 46 & 47 VICT. C. 51, AND FOR PARAGRAPH (3) OF PART V. OF THE SAME SCHEDULE (*n*).

Maximum Scale.

The expenses mentioned above in Parts I., II., and III. of this schedule, other than personal expenses and the fee, if any, paid to the election agent (not exceeding in the case of a county election seventy-five pounds and of a borough election fifty pounds, without reckoning for the purposes of that limit any part of the fee which may have been included in the expenses first above mentioned) shall not exceed an amount equal—

in the case of a county election to sevenpence for each elector on the register;

in the case of an election for a borough to fivepence for each elector on the register.

Where there are two or more joint candidates at an election, the maximum amount of expenses mentioned in Parts III. and IV. of this schedule shall, for each of the joint candidates, be the amount produced by multiplying a single candidate's maximum by one-and-a-half and dividing the result by the number of joint candidates.

(*n*) See sect. 33 (1), set out on p. 223, *supra*.

Section 36 (1).

FIFTH SCHEDULE.

PART I.—PROVISIONS AS TO UNIVERSITY ELECTIONS OTHER THAN SCOTTISH UNIVERSITY ELECTIONS (*o*).

Returning Officer.

1. The returning officer shall be—

(a) in the case of the Oxford, Cambridge, and London University constituencies respectively the Vice-Chancellor of the university;

(b) in the case of the Dublin University Constituency, the Provost of Trinity College;

(c) in the case of the combined English university constituency, the Vice-Chancellor, Principal, or Corresponding Officer of such university, being one of the combined universities as may be from time to time appointed by the Board of Education for that purpose; and

(d) in the case of the constituency of the University of Wales, the Vice-Chancellor of the university;

and the writ for any election of a member or members for Parliament for a university constituency shall be directed to the returning officer of that constituency.

2. It shall be the duty of the returning officer to make all arrangements for the election, including arrangements for the nomination of candidates (*p*), and the poll (*q*) and counting of votes (*r*), and to certify the result of the election in pursuance of the writ.

(*o*) See sect. 36 (1), set out on p. 279, *supra*.
(*p*) See clauses 3 to 8, pp. 365—366, *infra*.
(*q*) See clauses 9 to 18, pp. 366—368, *infra*.
(*r*) See clauses 19 to 22, 24, pp. 368—369, *infra*.

Nomination.

3. The nomination shall take place on such day and at such time and place as may be fixed by the returning officer, being not less than four days and not more than twelve days after the receipt of the writ, and the returning officer shall give public notice (*t*) of the day, time, and place so fixed within two days after he receives the writ.

4. The candidate must be nominated in writing by two electors as proposer and seconder and by eight other electors as assenting to the nomination, and his nomination must be delivered to the returning officer by some elector.

5. If, at the expiration of the time fixed for nomination, no more candidates are nominated than there are vacancies to be filled up, the returning officer shall declare the candidates who stand nominated to be elected and certify the result of the election accordingly.

6. If, at the expiration of the time fixed for nomination, more candidates stand nominated than there are vacancies to be filled up, the returning officer shall arrange for a poll to be taken.

7. A candidate may be withdrawn in manner provided by regulations (*u*) made under this Act, and if, owing to the withdrawal of a candidate after nomination, a poll becomes unnecessary, the returning officer shall countermand the poll and declare any candidate elected whose nomination remains standing.

8. If one of the candidates nominated dies after he has been nominated and before the commencement of the poll, the returning officer shall countermand the poll and other proceedings for the election and commence the same again as if the writ had been received by him on the day on which he is satisfied of the fact that the death took place.

No fresh nomination shall be required in the case of a

(*s*) See clause 31, p. 371, *infra*.

(*t*) These regulations have not up to the time of going to press been made.

candidate who stood nominated at the time the poll was countermanded.

Poll.

9. The poll shall remain open for five days, and shall take place on such days as may be fixed by the returning officer commencing not more than twelve and not less than three clear days after the day of nomination.

10. The returning officer shall appoint such polling places as appear to him to allow reasonable facilities for voting, and may give special directions that certain electors shall be allotted to certain polling places.

11. An elector may vote at a poll by the delivery of a voting paper (signed by the voter at any time subsequent to the nomination) in the form (*v*) appended to this part of this schedule or in a form to the same effect and accompanied with a like declaration, or, unless the returning officer directs to the contrary, in person, and may so vote at any polling place if he has not been allotted to any polling place, or, if he has been so allotted, at any polling place to which he has been so allotted.

The returning officer may give a special direction that votes shall not be given in person at the election, or that votes may be given in person on certain days of the poll only.

12. A voting paper may be delivered at a polling place on behalf of the voter by an elector, or by being sent to the presiding officer (*x*) at the polling place by post, and any voting paper received by a presiding officer at a polling place at which the elector may vote before the close of the poll shall be counted, unless rejected as invalid (*y*).

Voting papers may also be sent to the returning officer by post, and any voting papers so received by the return-

(*v*) See p. 372, *infra*.
(*x*) See clause 15, p. 367, *infra*.
(*y*) See pp. 182—200, *supra*.

ing officer shall be sent by him to the proper presiding officer.

13. The poll shall be open for such time between the hours of 8 a.m. in the morning and 8 p.m. in the evening, not being less than four hours, as the returning officer may direct, except that, if votes in person are received, but are not received on all the days of the poll, six hours shall be substituted for four as respects the days on which votes are so received as the minimum time under this provision.

14. The returning officer shall give public notice (*z*) of the days and hours of poll and of the polling places appointed, and of any special directions given by him as to the days or hours of poll, or the allotment of electors to certain polling places, or as to voting in person.

15. The returning officer shall appoint a presiding officer for every polling place at which he does not act as a presiding officer himself and the presiding officer shall have general control over the arrangements for voting at the polling place and shall record the votes of electors voting in person and receive voting papers.

16. Each candidate may appoint a person to be the candidate's representative at each polling place, and a candidate's representative may object to any voting paper (*a*) received at the polling place or to the vote of any person (*b*) claiming to vote in person at that place, and the presiding officer shall submit any such objection to the returning officer for decision.

17. The returning officer shall decide on the validity of any voting paper (*a*) to which objection is taken, or on the right of any person to vote (*b*) in person, if that right is questioned, and the decision of the returning officer, if the voting paper or the right to vote is allowed, shall be final, but, if the voting paper or the right to vote is dis-

(*z*) See clause 31, p. 371, *infra*.
(*a*) See pp. 182—200, *supra*.
(*b*) See pp. 167—172, *supra*.

allowed, shall be subject to reversal on any proceeding questioning the election or return.

18. The register kept in pursuance of this Act shall be conclusive as to the right of any person to vote at the poll; but this provision shall not entitle any person to vote if that person is subject to any legal incapacity (*c*).

A person shall not be entitled to be placed on the register as a graduate until the university authorities are satisfied that the grant of the degree is complete (*d*).

Counting of Votes.

19. After the poll is closed all voting papers received at any polling place and a record of votes (if any) given by electors in person shall be placed in a proper receptacle and sealed up and delivered to the returning officer, and the returning officer shall, as soon as practicable after the receipt of the votes from all the polling places, count the votes and publish (*e*) the result.

20. The voting papers counted, and the record of votes (if any) given by electors in person, and any papers which have been rejected as invalid (*f*) and a list of persons (if any) who have tendered their votes in person but who have not been allowed to vote (*f*), shall be placed in separate packets, and shall be kept by the returning officer for a period of twelve months after the close of the poll.

21. The returning officer shall give notice to the candidates of the time and place for counting the votes, and shall permit any candidate and a representative authorised

(*c*) See pp. 102—107, *supra*.

(*d*) It is clear that this provision in the latter part of clause 18 cannot render nugatory the right expressly given by sect. 4 (2) (see p. 64, *supra*) to women who have been admitted to and passed the final examination, but are not admitted by the university to a degree.

(*e*) See clause 31, p. 371, *infra*.

(*f*) See clause 16, p. 367, *supra*.

by the candidate for the purpose to be present at the count.

No person other than the returning officer, his assistants and clerks, and the candidates and representatives so authorised shall be entitled to be present at the count except with the sanction of the returning officer.

22. Where an equality of votes is found to exist between any candidates on a final count and the addition of a vote would entitle any of those candidates to be declared elected, the returning officer whether an elector or not may give a deciding vote, but the returning officer shall not be entitled to vote at the election in any other case.

Special Provisions for a Combined University Constituency (*g*).

23. In a combined university constituency the Vice-Chancellor, or the person performing the duties of a Vice-Chancellor, at each university forming the combination, shall, for the purpose of making arrangements for the poll and the holding of the poll, have at the university the powers and perform the duties of the returning officer (including the power and duty of deciding upon the validity of voting papers (*h*) and the right of a person to vote (*i*).

24. Arrangements may be made for counting votes at an election for a combined university constituency (*g*) at each of the universities forming the combination, if the transferable vote (*k*) is not used at that election, and for a record of the votes counted at each university being sent to the returning officer for the combined constituency in order that he may ascertain and declare the result of the election

(*g*) See Ninth Schedule, Part III., p. 554, *infra*.
(*h*) See pp. 182—200, *supra*.
(*i*) See pp. 102—110, 167—172, *supra*.
(*k*) See sect. 20 (1), p. 155, and pp. 158—160, *supra*.

General.

25. The returning officer shall appoint such deputies and clerks as he may think necessary for the proper holding of the election, and shall supply a form of voting paper (*o*) to any elector applying for such a form, and shall supply forms of nomination papers.

The governing body of the University may designate an officer of the University to act temporarily as returning officer in the event of a vacancy in the office of returning officer or in the event of his incapacity to appoint a deputy.

26. Any expenses reasonably incurred by the returning officer in connection with the arrangements for a university election and the conduct thereof shall be repaid to the returning officer by the University.

In the case of a combined University constituency (*p*) any such expenses incurred by the Vice-Chancellor or corresponding officer of each University shall be paid by the University whose Vice-Chancellor or officer has incurred the expenses, and any other such expenses shall be paid in equal shares by the Universities forming the combination.

In the case of a combined University constituency (*p*) any candidate's deposit which is forfeited (*q*) to the University shall be retained by, or paid to, the University whose Vice-Chancellor or other officer is the returning officer of the combined constituency and applied by that University in the payment of the expenses which are under this provision to be paid in equal shares by the Universities forming the combination.

27. A voting paper shall be deemed to be a public document within the meaning of subsection (3) of section four of the Forgery Act, 1913, and section five of the Perjury

(*o*) For form, see p. 372, *infra*.
(*p*) See Ninth Schedule, Part III., p. 554, *infra*.
(*q*) See sect. 27, pp. 208—210, *supra*.

Act, 1911, applies to any declaration or statement made in the voting paper.

28. A voting paper shall not be liable to stamp duty.

29. If any person, for the purpose of enabling an elector to vote at a university election, corruptly pays on his behalf any fees which the elector is required to pay in order to be registered or entitled to vote, he shall be guilty of an illegal practice (*r*) within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883, and that Act shall apply accordingly.

30. In reckoning time for the purpose of the provisions in this Schedule, Sunday, Christmas Day, Good Friday, and any day set apart as a bank or public holiday or day of public fast or public thanksgiving shall be excluded; and where anything is required by these provisions to be done on any day falls to be done on any such day that thing may be done on the next day not being one of any such days.

31. If regulations (*s*) are made under this Act as to the manner in which public notice is to be given under the provisions of this Schedule, public notice shall be given in manner directed under any such regulations for the time being in force, and if no such regulations are in force shall be given in such manner as the Returning Officer considers best fitted for giving notice to the persons concerned.

32. An election shall not be declared invalid by reason of non-compliance with these provisions if it appears to the tribunal cognisant of the case that the election was conducted in accordance with the principle of these provisions and that the non-compliance with these provisions did not affect the result of the election.

(*r*) See p. 166, *supra*.

(*s*) No such regulations have been made up to the time of going to press.

Form of Voting Paper.

I, A. B. (*here give the elector's name in full, with his university degree and college, if any*), give my vote as indicated below:—

*Candidates.	Order of Preference.
A	
B	
C	
D	

I declare that I have signed no other voting paper and have not voted in person at this election for the university constituency of .

† I also declare—

(*In the case of a man*) that I have not voted at this general election in respect of any qualification other than a residence qualification;

(*In the case of a woman*) that I have not voted at this general election for any other university constituency (*t*).

Signed A. B.

Address

The day of 19 .

I declare that this voting paper (the voting paper having been previously filled in), was signed in my presence by A. B., who is personally known to me, on the day of 19 .

Signed C. D.

Address

* This form will require modification where the transferable vote is not used at the election.

† This declaration is to be made only at a general election.

(*t*) See Second Schedule, Part II., p. 358, *supra*.

PART II.

PROVISIONS AS TO SCOTTISH UNIVERSITY ELECTIONS (*u*).

Returning Officer.

1. The returning officer for the combined Scottish University constituency shall be the Vice-Chancellor of the University of Edinburgh, to whom the writ for any election of a member or members of Parliament for that constituency shall be directed.

2. It shall be the duty of the returning officer to make all arrangements for the election, including arrangements for the nomination of candidates (*v*), and (where a poll is necessary) for the poll (*x*) and counting of votes (*y*), and to certify the result of the election in pursuance of the writ.

3. The returning officer shall give notice to the candidates of the days fixed for the poll and of the time and place for counting the votes, and any candidate and an agent appointed by any candidate for the purpose may be present at the poll and the count.

No person other than the returning officer, his assistants and clerks, and the candidates and their agents shall be entitled to be present at the count except with the sanction of the returning officer.

Nomination.

4. The nomination shall take place on such day and at such time and place as may be fixed by the returning officer, being not less than four days and not more than eight days after the receipt of the writ, and the returning

(*u*) See sect. 36 (1), set out on p. 279, *supra*.
(*v*) See clauses 4 to 9, *infra*.
(*x*) See clauses 10 to 26, pp. 374—380, *infra*.
(*y*) See clauses 27, 28, p. 380, *infra*.

officer shall give public notice (*a*) of the day, time, and place so fixed within three days after he receives the writ.

5. The candidate must be nominated in writing by two electors as proposer and seconder and by eight other electors as assenting to the nomination, and his nomination must be delivered to the returning officer by some elector.

6. If, at the expiration of the time fixed for nomination, no more candidates are nominated than there are vacancies to be filled up, the returning officer shall declare the candidates who stand nominated to be elected and certify the result of the election accordingly.

7. If, at the expiration of the time fixed for nomination, more candidates stand nominated than there are vacancies to be filled up, the returning officer shall arrange for a poll to be taken.

8. A candidate may be withdrawn in manner provided by regulations (*b*) made under this Act, and if, owing to the withdrawal of a candidate after nomination, a poll becomes unnecessary, the returning officer shall countermand the poll and declare any candidate elected whose nomination remains standing.

9. If one of the candidates nominated dies after he has been nominated and before the commencement of the poll, the returning officer shall countermand the poll and other proceedings for the election and commence the same again as if the writ had been received by him on the day on which he is satisfied of the fact that the death took place.

No fresh nomination shall be required in the case of a candidate who stood nominated at the time the poll was countermanded.

Poll.

10. The poll shall remain open for not less than four days nor more than six days, and shall take place on such

(*a*) See clause 37, p. 382, *infra*.

(*b*) These regulations have not been made up to the time of going to press.

days as may be fixed by the returning officer, commencing not more than twenty and not less than twelve clear days after the day of nomination.

11. The poll at each University shall be open at such place and for such time each day between the hours of 8 a.m. and 8 p.m., not being less than four hours, as the Vice-Chancellor of the University may direct.

12. The Vice-Chancellor of each University shall give public notice (*c*) of the days and hours of poll and of the polling place appointed.

13. The Vice-Chancellor of each University shall at the University act as presiding officer and shall have general control over the arrangements for the conduct of the poll at such University.

14. No person other than the Vice-Chancellor, the registrar, their assistants and clerks, and the candidates and their agents shall be entitled to be present at the poll except with the sanction of the Vice-Chancellor.

15. The Vice-Chancellor of each University shall as regards the voting papers relating to such University decide on the validity of any voting paper (*d*) to which objection is taken, or on the right of any person to vote (*e*), and the decision of the Vice-Chancellor, if the voting paper or the right to vote is allowed, shall be final, but, if the voting paper or the right to vote is disallowed, shall be subject to reversal on any proceeding questioning the election or return.

16. The register kept in pursuance of this Act by the University Court shall be conclusive as to the right of any person to vote at the poll; but this provision shall not entitle any person to vote if that person is subject to any legal incapacity (*f*).

(*c*) See clause 37, p. 382, *infra*.
(*d*) See pp. 182—200, *supra*.
(*e*) See pp. 102—110, 167—172, *supra*.
(*f*) See pp. 4—8, 67—68, *supra*.

17. Votes shall be given by means of voting papers, and no elector shall be allowed to vote in person, or in any other way than is herein provided. Each voting paper shall be in the form (A) appended to this Schedule (*g*). Each voting paper shall have a number printed or written on the back thereof, and shall have attached a counterfoil with the same number printed or written on the face. Before a voting paper is issued to an elector as hereinafter provided, it shall be marked with an official mark, either stamped or perforated, and the number of such elector, as stated on the register shall be marked on the counterfoil, and a mark shall be placed in the register or any copy thereof used for the purposes of the election against the number of the elector to denote that a voting paper has been issued to him.

18. The registrar of each University, as soon as he conveniently can after the day of nomination (*h*), and not later than eight clear days thereafter, shall issue through the post a voting paper, in the form (A) appended to this Schedule (*g*), to each elector to his address as entered on the register who shall appear from said address to be resident within the United Kingdom or the Channel Islands; and such voting paper (the Christian name, surname, designation, and residence of the elector as appearing on the register having previously been filled in by the registrar, or some one having his authority), contained in an envelope marked on the outside as sent by the registrar of the University, shall be accompanied by a letter of intimation in the form (B) appended to this schedule (*i*), and by a stamped envelope addressed to the registrar, for the return of the said voting paper; and each elector, upon receipt of his voting paper, if he desires to vote in the election, shall record his vote thereon, and the place and date of signa-

(*g*) For form, see pp. 383—384, *infra*.
(*h*) See clause 4, pp. 373—374, *supra*.
(*i*) For form, see p. 384, *infra*.

ture, and affix his subscription thereto, in the presence of one witness, who shall personally know the elector, and who shall attest the fact of such voting paper having been signed by the elector in his presence at the place therein mentioned, by signing his name at the foot thereof, and adding his designation and place of residence in the form or to the effect set forth in the form (A) appended to this schedule (*k*).

19. Thereafter the voting paper so signed and attested as aforesaid, shall, if the elector desires to vote in the election, be returned through the post to the registrar of the University by whom it was issued, so as to reach him not later than the time specified in the said letter of intimation for the return of the voting paper. Each voting paper, when received back by the registrar, shall be kept by him unopened in a fireproof safe, or other place of safety, until the poll begins.

20. If an elector, before or after he has received a voting paper, shall intimate or cause to be intimated in writing to the registrar that he is incapacitated from blindness or other physical cause to vote in the manner prescribed by this Act, it shall be lawful for the registrar, on getting back the voting paper from the elector, if such has been issued, to issue to the elector so incapacitated a voting paper in the form or to the effect set forth in the form (C) appended to this schedule (*l*); and on said voting paper being received by the elector, it shall be competent for him to record his vote by the hand of a justice of the peace in the manner therein directed; and the said justice of peace shall certify and attest the fact of his having been requested and authorised by the elector to sign said voting paper for him, and of its having been so signed by him in the presence of the elector by signing an attestation in the form (C) aforesaid; and such voting paper, when

(*k*) For form, see pp. 383—384, *infra*.
(*l*) For form, see pp. 385—386, *infra*.

received by the registrar, shall have the same effect and be similarly dealt with as a voting paper signed by an elector in the form (A) appended to this schedule (*n*).

21. An elector who has not received a voting paper sent by post as aforesaid to his address as appearing on the register, or who has before re-delivery thereof to the registrar, inadvertently spoilt his voting paper in such manner that it cannot be conveniently used as a voting paper, or who has lost his voting paper, may, on his transmitting to the registrar a declaration signed by himself before a justice of the peace setting forth the fact of the non-receipt, the inadvertent spoiling, or the loss of the voting paper, require the registrar to send him a new voting paper in place of the one not received, or spoilt, or lost; and in case the voting paper has been spoilt, the spoilt voting paper shall be returned to the registrar, and when received by him shall be immediately cancelled, and in every case where a new voting paper is issued a mark shall be placed opposite the number of the elector's name on the register, to denote that a new voting paper has been issued in place of the one not received, or spoilt, or lost.

22. An elector who does not appear from his address as entered on the register to be resident within the United Kingdom or the Channel Islands, may apply in writing to the registrar to send a voting paper to him to an address within the United Kingdom or the Channel Islands.

23. The registrar, upon receiving an application in terms of either of the two preceding provisions hereof at any time before the day on which the poll begins, shall forthwith transmit a new voting paper, or a voting paper, as the case may be, to the address as appearing on the register, or to the address within the United Kingdom or Channel Islands as the case may be: Provided that the registrar shall open all letters coming addressed to him

(*n*) For form, see pp. 383—384, *infra*.

from the Dead Letter Office after the date of his issuing the voting papers, in order to ascertain and make public the names and addresses of the electors whose voting papers have not reached them, which he shall do by exhibiting publicly at his office in the University as they reach him a list of the names and addresses of the electors whose letters have been returned to him from the Dead Letter Office, for the information of all concerned.

24. When the poll begins, the voting papers shall be opened and examined by the registrar in the presence of the Vice-Chancellor and any candidate or agent of a candidate who may attend, and the voting papers found to be marked with the official mark and the number on the back as appearing on the counterfoil, and otherwise regular, shall be put apart until the end of the poll. Any voting paper which has not the official mark and the number on the back as appearing on the counterfoil, or which is in the opinion of the Vice-Chancellor otherwise invalid, shall not be counted as a vote in the election, but shall be sealed up in a paper apart, marked on the back thereof with the words "voting papers received but disallowed," and initialled by the Vice-Chancellor.

25. It shall be lawful for any candidate or the agent of any candidate who may be in attendance at the poll, to inspect any voting paper and to object to it on one or more of the following grounds:—

(1) That the elector named in the voting paper has already voted at that election:
(2) That the person giving a vote by the voting paper is not qualified to vote:
(3) That the voting paper is forged or falsified:
(4) That the voting paper is wanting in any of the essential conditions required by this Act:

Provided, that in case the objection offered to any voting paper shall be that it is forged or falsified, such voting paper shall not on that ground alone be disallowed by the

Vice-Chancellor, but he shall write upon it, "objected to as forged," or, "objected to as falsified," together with the name of the person making such objection.

26. No voting paper shall be counted which does not reach the registrar before ten of the clock on the morning of the day on which the poll closes.

Counting of Votes.

27. After the poll is closed all voting papers received at any polling place shall be placed in a proper receptacle and sealed up and delivered to the returning officer, and the returning officer shall, as soon as practicable after the receipt of the votes from all the polling places, count the votes and publish (*o*) the result.

28. Where an equality of votes is found to exist between any candidates on a final count and the addition of a vote would entitle any of those candidates to be declared elected, the returning officer may give a deciding vote, but the returning officer shall not be entitled to vote at the election in any other case.

General.

29. Arrangements may be made for counting votes at an election for the combined university constituency at each of the universities forming the combination, if the transferable vote (*p*) is not used at that election, and for a record of the votes counted at each University being sent to the returning officer for the combined constituency in order that he may ascertain and declare the result of the election.

30. The returning officer shall appoint such deputies and clerks as he may think necessary for the proper holding of the election, and shall supply forms of nomination papers.

(*o*) See clause 37, p. 382, *infra*.

(*p*) See sect. 20 (1), p. 155, and pp. 158—160, *supra*.

31. All voting papers received and counted at an election, and the counterfoils thereof, as well as any voting papers disallowed for informality, or on any other ground, and the counterfoils thereof, shall be filed, and, along with any copy of the register used for the purposes of said election, shall be kept by the returning officer for a period of twelve months after the closing of the poll.

32. Any person falsely or fraudulently signing any voting paper in the name of any other person, either as a voter or as a witness, and every person signing, certifying, attesting, or transmitting as genuine any false or falsified voting paper, knowing the same to be false or falsified, or with fraudulent intent altering, defacing, destroying, withholding, or obstructing any voting paper, shall be guilty of a crime and offence, and shall be punishable by fine or imprisonment for a term not exceeding one year.

33. No such voting paper as herein-before mentioned shall be liable to any stamp duty.

34. Any expenses reasonably incurred by the Vice-Chancellor of each University in connection with the arrangements for an election shall be repaid to him by that University: Provided that any expenses so incurred by the returning officer in connection with the nomination and the counting of votes shall be paid in equal shares by the four Universities forming the constituency.

35. If any person, for the purpose of enabling any other person to vote at a university election, corruptly pays on his behalf any fees which such other person is required to pay in order to be registered or entitled to vote, he shall be guilty of an illegal practice (*q*) within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883, and that Act shall apply accordingly.

36. In reckoning time for the purpose of the provi-

(*q*) See p. 166, *supra*.

sions in this Schedule, Sunday, Christmas Day, and any day set apart as a bank or public holiday or public fast or public thanksgiving shall be excluded; and where anything required by these provisions to be done on any day falls to be done on any such day it may be done on the next day not being one of any such days.

37. If regulations (*s*) are made under this Act as to the manner in which public notice is to be given under the provisions of this Schedule, public notice shall be given in manner directed under any such regulations for the time being in force, and if no such regulations are in force shall be given in such manner as the returning officer or the Vice-Chancellor as the case may be, considers best fitted for giving notice to the persons concerned.

38. An election shall not be declared invalid by reason of non-compliance with these provisions if it appears to the tribunal having jurisdiction that the election was conducted in accordance with the principle of these provisions and that the non-compliance with these provisions did not affect the result of the election.

39. Where the Vice-Chancellor or registrar of any University is absent, or is incapacitated by illness for discharging any duty required of him by this Act, or if the office of Vice-Chancellor or of registrar shall be vacant, the duties by this Act imposed on the Vice-Chancellor or registrar respectively shall be discharged by a person appointed for that purpose by the University Court of such University; and such person shall in that respect, but in no other, act for the time as and be deemed to be Vice-Chancellor or registrar of such University.

(*s*) At the time of going to press no regulations have been issued.

FORM A.

UNIVERSITY OF (*Name of University*) VOTING PAPER.

No. (*number of elector as on the register*).

I, A. B. (*here give the elector's name in full and his designation*), give my vote as indicated below:—

*Candidates.	Order of Preference.
A	
B	
C	
D	

* This form will require modification where the transferable vote is not used at the election.

I declare that I have signed no other voting paper at this election for the combined university constituency of the University of St. Andrews, the University of Glasgow, the University of Aberdeen, and the University of Edinburgh.

* I also declare (*t*)—

(*In the case of a man*) that I have not voted at this general election in respect of any qualification other than a residence qualification;

(*In the case of a woman*) that I have not voted at this general election for any other university constituency.

Signed A. B.

Address

The day of 19 .

(*t*) See Second Schedule, Part II., p. 358, *supra*.

I declare that this voting paper (the vote having been previously recorded thereon), was signed in my presence by A. B., who is personally known to me, on the day of 19 .

Signed C. D.
Designation
Address

* This declaration is to be made only at a general election.

FORM B.

UNIVERSITY OF (*Name of University*).

No. (*number of elector as on the register*).

Persons Nominated.	Proposed by	Seconded by
A	Name of Proposer	Name of Seconder
B	Do.	Do.
C	Do.	Do.
D	Do.	Do.

SIR,

I HAVE to intimate that the above-named persons have been nominated for the office of member of Parliament. Along with this letter you will receive a voting paper, and, should you desire to vote at this election, I have to request that you will record your vote thereon and the place and date of your signing, and having signed your name thereto in presence of one witness, who will also sign his name as directed, you will return the voting paper by post to me at the University of , so as to reach me on or before 10 a.m. of (*insert the day on which the poll finally closes*).

I am, &c.
(Signed) G. H., Registrar.

(Date.)

FORM C.

UNIVERSITY OF (*Name of University*) VOTING PAPER.

INCAPACITATED ELECTOR.

No. (*number of elector as on register*).

I A. B. (*here give the elector's name in full and his designation*), give my vote as indicated below, and I have requested and authorised C. D., a justice of peace, to make the entries in this voting paper on my behalf and on my instructions, and to subscribe this voting paper and declaration(s) for me, as I am from (*state the incapacity*) unable to write:—

†Candidates.	Order of Preference.
A	
B	
C	
D	

† This form will require modification where the transferable vote is not used at the election.

I declare that I have signed no other voting paper at this election for the combined university constituency of the University of St. Andrews, the University of Glasgow, the University of Aberdeen, and the University of Edinburgh.

‡ I also declare (*t*)—

(*In the case of a man*) that I have not voted at this general election in respect of any qualification other than a residence qualification;

(*t*) See Second Schedule, Part II., p. 358, *supra*.

(*In the case of a woman*) that I have not voted at this general election for any other university constituency.

Signed A. B.

Address

The day of 19 .

I, C. D., a justice of peace for , and residing at , hereby declare that A. B., before named, being personally known to me, did in my presence make the declaration(s) before mentioned, and did duly request and authorise me to make the entries in this voting paper on his behalf and on his instructions, and to subscribe this voting paper for him, which I did on day of 19 , in the presence of the said A.B.

(Signed) C. D., a justice of peace for , and residing at

‡ This declaration is to be made only at a general election.

Section 42.

SIXTH SCHEDULE.

Adaptation of Acts (*u*).

1. A reference to parliamentary electors registered under this Act shall be substituted for any reference in any other Act to parliamentary electors, parliamentary voters, or persons entitled to vote at parliamentary elections, by whatever name called.

2. A reference to local government electors registered under this Act shall, so far as local government elections and the right to vote at any such elections are concerned, be substituted for any reference in any other Act to local government electors, county electors, burgesses, parochial electors, or other persons entitled to vote at a local government election, by whatever name called, and local govern-

(*u*) See sect. 42, p. 308, *supra*.

ment electors so registered shall for all purposes, whether statutory or not, be in the same position as any such local government electors, county electors, burgesses, parochial electors, or persons.

3. A reference to the register kept in pursuance of this Act shall, so far as it relates to parliamentary electors, be substituted for any reference in any Act to the parliamentary register of electors or to the parliamentary register or to the register of parliamentary electors or to the register of persons entitled to vote at a parliamentary election, by whatever name called, and, so far as it relates to the local government register, shall be substituted for the local government register of electors, the burgess roll, the county register, the register of parochial electors, and for the register of persons entitled to vote at a local government election, by whatever name called.

4. The registration officer shall be substituted for the overseers in sections eleven and twelve of the Parliamentary and Municipal Registration Act, 1878, and in every other enactment dealing with the duties of the overseers in connection with the registration of electors; and in sections thirty-nine, sixty-eight and sixty-nine of the Corrupt and Illegal Practices Prevention Act, 1883, "registration officer" means the registration officer under this Act.

5. Subsection (4) of section forty of the Local Government Act, 1888, shall have effect as if the words "for the time being" were substituted for the words "at the passing of this Act"; and, in order to meet any difficulty (consequent on the change of boundaries under this provision) in filling casual vacancies by election in the London County Council, any such casual vacancy shall, until the first election of the whole number of councillors which takes place after the passing of this Act, be filled by means of the choice by the Council of a person to fill the vacancy, and the councillor so chosen shall hold office in such manner

and in all respects as if he had been elected to fill the vacancy.

6. Sections eleven and thirteen and (so far as necessary) section twelve of the Parliamentary and Municipal Registration Act, 1878, shall be adapted so as to be applicable to parishes situated in any constituency or in any local government area, and for that purpose "constituency" shall be substituted in those sections for "parliamentary borough," "local government area" for "municipal borough," and "registered as a local government elector" for "enrolled as a burgess."

7. The Local Government Board may, by order, make such further adaptations in the provisions of any Act (including any local Act and any Act to confirm a Provisional Order and any scheme under the Municipal Corporations Act, 1882, as amended by any subsequent Act) as may seem to them necessary to make those provisions conform with the provisions of this Act; and any order so made shall operate as if enacted in this Act.

As respects Scotland the Secretary for Scotland, and as respects Ireland the Local Government Board for Ireland, shall be substituted for the Local Government Board in this schedule.

Special Adaptation of Acts for Scotland.

8. The Representation of the People (Scotland) Act, 1832 (2 & 3 Will. 4, c. 65):—

Section thirty-eight shall apply as if this Act were mentioned therein as well as the Act therein mentioned.

The Representation of the People (Scotland) Act, 1868 (31 & 32 Vict. c. 48):—

Section twenty-three shall apply as if appeals from the sheriff court under this Act were mentioned therein instead of the appeals therein mentioned.

The Ballot Act, 1872 (35 & 36 Vict. c. 33):—

In Rule 60 (*x*) of Part I. of the First Schedule, a reference to Division (4) of Part I. of the Ninth Schedule to this Act shall be substituted for the reference to the Schedules in that Rule mentioned.

The Corrupt and Illegal Practices Prevention Act, 1883 (46 & 47 Vict. c. 51):—

In section sixty-eight in the definition of "revising barrister," for the word "sheriff" shall be substituted the words "registration officer."

The Registration Amendment (Scotland) Act, 1885 (48 & 49 Vict. c. 16):—

In section six, for the words "dwelling-house within the meaning of the Representation of the People Act, 1884," there shall be substituted the words, "house or part of a house occupied as a separate dwelling: Provided that no such entry shall render liable to be rated in respect of any such house or part of a house any person who occupies the same by virtue of any office, service, or employment."

The Local Government (Scotland) Act, 1889 (52 & 53 Vict. c. 50):—

In section six, the words "in the Representation of the People Act, 1918," shall be substituted for the word "hereinafter."

The Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890 (53 & 54 Vict. c. 55):—

In section twenty-nine the words "registration officer" shall be substituted for "revising authority," and at the end of subsection (1) of the said section the following words shall be added, "and shall make out a list (which may be referred to as the corrupt and illegal practices list) containing the name and

(*x*) Set out at p. 692, *infra*.

description of every person whose name has been so omitted, and shall state in that list the offence of which each such person has been convicted or found guilty."

The Town Councils (Scotland) Act, 1900 (63 & 64 Vict. c. 49):—

In subsection (1) of section twenty-three the words "registered as local government electors for the burgh in accordance with the provisions of the Representation of the People Act, 1918" shall be substituted for the words "entitled in respect of premises within the municipal boundary to vote in the election of a member of Parliament."

Special Adaptation of Acts for Ireland.

9. The Juries Act (Ireland), 1871 (34 & 35 Vict. c. 65):—

In sections twelve and fourteen, a reference to the county court shall be substituted for a reference to the court at which the register of parliamentary voters is revised.

The Parliamentary Registration (Ireland) Act, 1885 (48 & 49 Vict. c. 17):—

In section sixteen the registration officer shall be substituted for the clerk of the union; "fifteenth of July" shall be substituted for "first of July" and the word "male" shall be omitted.

SEVENTH SCHEDULE.

Section 43 (13).

Returning Officers for Scottish Constituencies situated in more than one Sheriffdom (*z*).

Name of Parliamentary Borough or County.	Name of Division.	Returning Officer.
Montrose District of Burghs.	—	Sheriff of Forfar.
Ayr and Bute	Bute and Northern ..	Sheriff of Ayr.
Berwick and Haddington ..	—	Sheriff of the Lothians and Peebles.
Caithness and Sutherland ..	—	Sheriff of Caithness, Orkney, and Zetland.
Inverness and Ross and Cromarty.	Western Isles	Sheriff of Ross, Cromarty, and Sutherland.
Perth and Kinross	Kinross and Western.	Sheriff of Perth.
Renfrew	Eastern	Sheriff of Renfrew and Bute.

EIGHTH SCHEDULE

Section 47.

Enactments Repealed (*a*).

Session and Chapter.	Title or Short Title.	Extent of Repeal.
8 Hen. 6, c. 7.	Electors of knights of the shires shall have 40*s.* a year freehold and be resident.	The whole Act so far as unrepealed.
10 Hen. 6, c. 2.	The Statute 8 Hen. 6, c. 7, as to freehold qualification of electors of knights of the shires; such freeholds shall be within the county.	The whole Act so far as unrepealed.

(*z*) See sect. 43 (13), pp. 321—322, *supra*.

(*a*) See sect. 47, p. 337, *supra*.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
7 & 8 Will. 3, c. 25.	An Act for the further regulating elections of members to serve in Parliament, and for the preventing irregular proceedings of sheriffs and other officers in the electing and returning such members.	Section six.
10 Anne, c. 31.	The Elections (Fraudulent Conveyances) Act, 1711.	The whole Act so far as unrepealed.
13 Geo. 2, c. 20.	The Parliamentary Elections (Fraudulent Conveyances) Act, 1739.	The whole Act so far as unrepealed.
18 Geo. 2, c. 18.	The Parliamentary Elections Act, 1744.	The whole Act so far as unrepealed.
19 Geo. 2, c. 28.	The Parliamentary Elections Act, 1745.	The whole Act so far as unrepealed.
3 Geo. 3, c. 15.	The Freemen (Admission) Act, 1763.	The whole Act so far as unrepealed.
20 Geo. 3, c. 17.	The Parliamentary Elections Act, 1780.	The whole Act so far as unrepealed.
25 Geo. 3, c. 84.	The Parliamentary Elections Act, 1785.	The whole Act so far as unrepealed.
33 Geo. 3, c. 64.	The Parliamentary Elections Act, 1793.	The whole Act.
53 Geo. 3, c. 49.	The Parliamentary Elections Act, 1813.	The whole Act so far as unrepealed.
4 Geo. 4, c. 36.	The Joint Tenancy (Ireland) Act, 1833.	The whole Act so far as unrepealed.
4 Geo. 4, c. 55.	The Parliamentary Elections (Ireland) Act, 1823.	Sections twenty-four, twenty-six, twenty-seven, and twenty-eight.
2 & 3 Will. 4, c. 45.	The Representation of the People Act, 1832.	The whole Act (except sections sixty-six, seventy, and seventy-six, and the definition of "returning officer" in section seventy-nine); the words "barrister, overseer," in section seventy-six wherever they occur.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
2 & 3 Will. 4, c. 65.	The Representation of the People (Scotland) Act, 1832.	Sections two to four, six to thirteen; section twenty-seven; section twenty-eight; section thirty-five; section thirty-six, so far as relating to town clerks or deputy town clerks being entitled to vote; section thirty-seven; section forty; section forty-two, and the schedules so far as unrepealed.
2 & 3 Will. 4, c. 88.	The Representation of the People (Ireland) Act, 1832.	The whole Act so far as unrepealed except sections eleven and twelve.
5 & 6 Will. 4, c. 36.	The Parliamentary Elections Act, 1835.	Section seven.
5 & 6 Will. 4, c. 78.	The Representation of the People (Scotland) Act, 1835.	Sections three, four, nine, ten, and eleven.
3 & 4 Vict. c. 108.	The Municipal Corporations (Ireland) Act, 1840.	Sections six and eight to ten.
5 & 6 Vict. c. 74.	The University of Dublin Registration Act, 1842.	The whole Act so far as unrepealed.
6 & 7 Vict. c. 18.	The Parliamentary Voters Registration Act, 1843.	The whole Act (except sections eighty-one, eighty-two, eighty-five to ninety, ninety-three, and ninety-seven, and the definition of "returning officer" in section one hundred and one), the word "overseer" in section ninety-seven.
11 & 12 Vict. c. 90.	The Parliamentary Elections Act, 1848.	The whole Act.
12 & 13 Vict. c. 85.	The Dublin Corporation Act, 1849.	Sections two, three, five, six, seven, and ten to twelve.
13 & 14 Vict. c. 57.	The Vestries Act, 1850 ..	Section seven from "to give the notices for claims" to "for revising them, and," and the words "burgess lists and the".
13 & 14 Vict. c. 68.	The Parliamentary Elections (Ireland) Act, 1850.	Sections six to nine and section nineteen.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
13 & 14 Vict. c. 69.	The Representation of the People (Ireland) Act, 1850.	The whole Act so far as unrepealed (except sections eighty-eight to ninety-seven and sections one hundred and three, one hundred and eight, and one hundred and eighteen).
14 & 15 Vict. c. 14.	The Compound Householders Act, 1851.	The whole Act.
14 & 15 Vict. c. 57.	The Civil Bill Courts (Ireland) Act, 1851.	Section one hundred and sixty-one.
16 & 17 Vict. c. 28.	The County Elections (Scotland) Act, 1853.	Sections two, three, five, six, and seven.
16 & 17 Vict. c. 58.	The Dublin Parliamentary Revising Act, 1853.	The whole Act so far as unrepealed.
16 & 17 Vict. c. 68.	The Parliamentary Elections Act, 1853.	In section one the words "for the Universities of Oxford and Cambridge and" the words "to the Vice-Chancellors of the said Universities and" and the words "Vice-Chancellors and"; sections four and five.
17 & 18 Vict. c. 91.	The Lands Valuation (Scotland) Act, 1854.	Section thirty-four.
19 & 20 Vict. c. 58.	The Burgh Voters Registration (Scotland) Act, 1856.	The whole Act so far as unrepealed.
20 & 21 Vict. c. 68.	The Dublin Revising Barristers Act, 1857.	The whole Act so far as unrepealed except sections two and five.
24 & 25 Vict. c. 53.	The University Elections Act, 1861.	The whole Act so far as unrepealed.
24 & 25 Vict. c. 60.	The Representation of the People (Ireland) Act, 1861.	The whole Act.
24 & 25 Vict. c. 83.	The County Voters Registration (Scotland) Act, 1861.	The whole Act so far as unrepealed.
27 & 28 Vict. c. 22.	The Registration of County Voters (Ireland) Act, 1864.	The whole Act so far as unrepealed.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
28 & 29 Vict. c. 36.	The County Voters Registration Act, 1865.	The whole Act so far as unrepealed.
29 & 30 Vict. c. 54.	The Revising Barristers Act, 1866.	The whole Act so far as unrepealed.
30 & 31 Vict. c. 102.	The Representation of the People Act, 1867.	The whole Act (except sections one, two, seven, thirty-seven, forty-nine to fifty-two, fifty-seven, fifty-nine, and sixty-one, and Schedule H.); section fifty-nine from "and in construing" to the end of the section.
31 & 32 Vict. c. 48.	The Representation of the People (Scotland) Act, 1868.	Sections three to six, sections eight to fourteen, sections sixteen to twenty, sections twenty-two, twenty-four, twenty-six, thirty-seven to forty-two, forty-five, forty-seven to fifty, fifty-three, fifty-five, fifty-six, and in section fifty-nine the definition of "premises," and Schedules A., B., C., D., and I.
31 & 32 Vict. c. 49.	The Representation of the People (Ireland) Act, 1868.	Sections three to seven, fourteen, sixteen, seventeen, and twenty-four.
31 & 32 Vict. c. 58.	The Parliamentary Electors Registration Act, 1868.	The whole Act (except sections one, two, three, and twenty-one).
31 & 32 Vict. c. 65.	The Universities Elections Act, 1868.	The whole Act.
31 & 32 Vict. c. 112.	The Registration Amendment (Ireland) Act, 1868.	The whole Act so far as unrepealed.
32 & 33 Vict. c. 41.	The Poor Rate Assessment and Collection Act, 1869.	Section seven so far as it relates to franchise and any disqualification which depends on franchise; section ten, and section nineteen so far as it relates to franchise and any disqualification which depends on franchise.
33 & 34 Vict. c. 11.	The Dublin Collector of Rates Act, 1870.	The whole Act.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
35 & 36 Vict. c. 33.	The Ballot Act, 1872	Section five; section eight from "all expenses" to "by law payable," and (except as respects Scotland and Ireland) from "where the sheriff" to the end of the section; sub-section (5) of section sixteen, sub-section (4) of section seventeen, sections eighteen and nineteen, section twenty-five from "or where" to "is proved on such trial to have voted at such election" and from "or so retained" to end of the section; section thirty-three from "and shall continue in force" to the end of the section; rules 3 and 58 in the First Schedule.
36 & 37 Vict. c. 2.	The Polling Districts (Ireland) Act, 1873.	The whole Act so far as unrepealed.
36 & 37 Vict. c. 30.	The Registration of Voters (Ireland) Act, 1873.	The whole Act so far as unrepealed.
36 & 37 Vict. c. 70.	The Revising Barristers Act, 1873.	The whole Act so far as unrepealed.
37 & 38 Vict. c. 53.	The Revising Barristers Act, 1874.	The whole Act so far as unrepealed.
38 & 39 Vict. c. 77.	The Supreme Court of Judicature Act, 1875.	In section twenty-three, the words "or the distribution of revising barristers among the circuits," and from "and the senior judge" to "boroughs therein."
38 & 39 Vict. c. 84.	The Parliamentary Elections (Returning Officers) Act, 1875.	Sections two to five, and section seven, and the Schedules, except so far as those sections and schedules apply to elections other than parliamentary elections.
39 & 40 Vict. c. 61.	The Divided Parishes and Poor Law Amendment Act, 1876.	Section fourteen.
40 & 41 Vict. c. 57.	The Supreme Court of Judicature Act (Ireland), 1877.	Sub-section (2) of section twenty-three from "including" to the end of the sub-section.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
41 & 42 Vict. c. 3.	The House Occupiers Disqualification Removal Act, 1878.	The whole Act.
41 & 42 Vict. c. 5.	The House Occupiers Disqualification Removal (Scotland) Act, 1878.	The whole Act.
41 & 42 Vict. c. 26.	The Parliamentary and Municipal Registration Act, 1878.	The whole Act so far as unrepealed (except sections one, two, eleven, twelve, thirteen and fourteen).
41 & 42 Vict. c. 41.	The Parliamentary Elections Returning Officers' Expenses (Scotland) Act, 1878.	Section three and the Schedule.
41 & 42 Vict. c. 78.	The Education (Scotland) Act, 1878.	Section twenty-four.
42 & 43 Vict. c. 10.	The Assessed Rates Act, 1879.	The whole Act so far as it relates to franchise and any disqualification which depends on franchise.
42 & 43 Vict. c. 71.	The Registry Courts (Ireland) Amendment Act, 1879.	The whole Act so far as unrepealed.
43 & 44 Vict. c. 6.	The House Occupiers in Counties Disqualification Removal (Scotland) Act, 1880.	The whole Act.
44 & 45 Vict. c. 40.	The Universities Elections Amendment (Scotland) Act, 1881.	The whole Act.
44 & 45 Vict. c. 68.	The Supreme Court of Judicature Act, 1881.	Section fourteen as far as respects appeals in registration matters.
45 & 46 Vict. c. 50.	The Municipal Corporations Act, 1882.	Section nine; in sub-section (2) of section eleven the words from "or (b) Being entitled" to "to be made," and the words "In either of those cases"; sections thirty-two and thirty-three; sub-section (3) of section forty-two; section forty-four; paragraphs (1) to (7) of section forty-five; sections forty-six to forty-nine; in sub-

Session and Chapter.	Title or Short Title.	Extent of Repeal.
45 & 46 Vict. c. 50—*contd.*		section (2) of section fifty-one the words "or vote in more than one ward"; sections sixty-three, seventy-one, and seventy-six, sub-sections (1) and (3) of section two hundred and nine, section two hundred and forty-four, Part I. of the Third Schedule, in rule four of Part II. of the Third Schedule, the words "or entered in the separate non-resident list required by this Act to be made," Part IV. of the Third Schedule, rule one of Part II. of the Fifth Schedule so far as respects expenses incurred in relation to the enrolment of burgesses, and Forms C to G in Part II. of the Eight Schedule.
46 & 47 Vict. c. 51.	The Corrupt and Illegal Practices Prevention Act, 1883.	Sub-section (2) of section thirty-two; paragraph (c) of sub-section (1) of section thirty-three; sub-section (1) of section thirty-five from "and may charge" to the end of the sub-section; sub-section (3) of section thirty-nine; section forty-seven; the definitions of "registration officer" in sections sixty-four and sixty-eight; sub-section (12) of section sixty-eight; sub-section (4) of section sixty-nine from "in the manner" to the end of the sub-section; sub-section (9) of section sixty-nine; paragraph (7) of Part I. of the First Schedule; paragraph (1) of Part II. of the First Schedule; in the "Form of Return of Election Expenses" in Part I. of the Second Schedule the first paragraph under the heading "Expenditure."
47 & 48 Vict. c. 35.	The County of Dublin Jurors' and Voters' Revision Act, 1884.	Section two, so far as respects the appointment of revising barristers and the registration of voters.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
47 & 48 Vict. c. 70.	The Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	Sub-section (3) of section thirteen.
48 & 49 Vict. c. 3.	The Representation of the People Act, 1884.	The whole Act so far as unrepealed.
48 & 49 Vict. c. 9.	The Municipal Voters Relief Act, 1885.	The whole Act so far as unrepealed.
48 & 49 Vict. c. 15.	The Registration Act, 1885.	The whole Act so far as unrepealed (except sections sixteen, nineteen, and twenty); the definitions of "ownership voter," "fifty pounds rental voter," and "occupation voter" in section nineteen.
48 & 49 Vict. c. 16.	The Registration Amendment (Scotland) Act, 1885.	Section three, except so far as it relates to the valuation roll, sections four and five, sections seven to ten, thirteen to fifteen, and section seventeen.
48 & 49 Vict. c. 17.	The Parliamentary Registration (Ireland) Act, 1885.	Sections two to six, eight, nine, thirteen, fifteen, seventeen to thirty, and the Second Schedule.
48 & 49 Vict. c. 23.	The Redistribution of Seats Act, 1885.	As respects England and Scotland the whole Act so far as unrepealed, and as respects Ireland, sub-sections (3) and (4) of section eight, sections ten to twelve, sub-sections (3), (4), and (5) of section thirteen, sections fourteen, fifteen, eighteen, and twenty, and in section twenty-six the words from "with the following" to the end of the section.
48 & 49 Vict. c. 46.	The Medical Relief Disqualification Removal Act, 1885.	The whole Act so far as unrepealed.
48 & 49 Vict. c. 62.	The Parliamentary Elections (Returning Officers) Act, 1885.	The whole Act so far as unrepealed, except so far as it applies to elections other than parliamentary elections.
49 & 50 Vict. c. 42.	The Revising Barristers Act, 1886.	The whole Act.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
49 & 50 Vict. c. 43.	The Revising Barristers (Ireland) Act, 1886.	The whole Act.
49 & 50 Vict. c. 57.	The Parliamentary Elections (Returning Officers) Act (1875) Amendment Act, 1886.	The whole Act so far as unrepealed, except so far as it applies to elections other than parliamentary elections.
49 & 50 Vict. c. 58.	The Returning Officers (Scotland) Act, 1886.	The whole Act.
50 & 51 Vict. c. 55.	The Sheriffs Act, 1887.	Sub-section (2) of section eighteen, so far as respects sheriffs' courts required for the purpose of elections.
51 & 52 Vict. c. 10.	The County Electors Act, 1888.	The whole Act so far as unrepealed.
51 & 52 Vict. c. 41.	The Local Government Act, 1888.	Paragraph (b) of sub-section (2) of section two from "or is registered" to the end of the paragraph; paragraph (xii) of section three; sub-section (6) of section thirty-four; proviso twelve in section seventy-five; sections seventy-six and seventy-seven; in paragraph (6), of section eighty-three the words "registration of parliamentary voters or to the," the words "or to any registration matters," and the word "registration" where it lastly occurs; in sub-section (2) of section ninety-two the word "occupation" and the words "of making out and revising the lists of voters, of conducting any parliamentary election"; sub-section (3) of section ninety-two.
52 & 53 Vict. c. 50.	The Local Government (Scotland) Act, 1889.	Sub-section (4) of section eight, and sections twenty-eight and twenty-nine.
53 & 54 Vict. c. 55.	The Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890.	In section one the definition of "revising authority"; sub-section (3) of section seventeen; sub-sections (7) and (8) of section twenty-nine.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
53 & 54 Vict. c. 58.	The Parliamentary Registration Expenses (Ireland) Act, 1890.	The whole Act so far as unrepealed.
54 & 55 Vict. c. 11.	The Electoral Disabilities Removal Act, 1891.	The whole Act.
54 & 55 Vict. c. 18.	The Registration of Electors Act, 1891.	The whole Act.
54 & 55 Vict. c. 49.	The Returning Officers (Scotland) Act, 1891.	Section three and the Schedule.
54 & 55 Vict. c. 68.	The County Councils (Elections) Act, 1891.	Section two.
56 & 57 Vict. c. 73.	The Local Government Act, 1894.	Sections forty-three and forty-four.
57 & 58 Vict. c. 58.	The Local Government (Scotland) Act, 1894.	Sub-section (1) of section ten from "provided that" to the end of the sub-section; sections eleven and twelve.
59 & 60 Vict. c. 17.	The Glasgow Parliamentary Divisions Act, 1896.	The whole Act.
61 & 62 Vict. c. 2.	The Registration (Ireland) Act, 1898.	The whole Act.
61 & 62 Vict. c. 37.	The Local Government (Ireland) Act, 1898.	Section ninety-eight except sub-section (8); section one hundred and nine from "The expression 'revising barrister'" to "1885."
62 & 63 Vict. c. 14.	The London Government Act, 1899.	Sub-section (4) of section three; sub-section (1) of section four from "and shall be" to "electors"; and sub-section (2) of section twenty-seven.
63 & 64 Vict. c. 29.	The London County Council Electors Qualification Act, 1900.	The whole Act.
63 & 64 Vict. c. 49.	The Town Councils (Scotland) Act, 1900.	Section twenty-three from the words "all persons who would have been entitled" to the end of the section; and sections twenty-four to thirty-two.
3 Edw. 7, c. 34.	The Town Councils (Scotland) Act, 1903.	Sections two and four.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
8 Edw. 7, c. 14.	The Polling Arrangements (Parliamentary Boroughs) Act, 1908.	The whole Act.
8 Edw. 7, c. 21.	The Registration Act, 1908	The whole Act.
8 Edw. 7, c. 35.	The Polling Districts and Registration of Voters (Ireland) Act, 1908.	The whole Act.
8 Edw. 7, c. 48.	The Post Office Act, 1908.	Section eighty.
1 & 2 Geo. 5, c. 53.	The House Letting and Rating (Scotland) Act, 1911.	Section seven, proviso (3) from the words "Provided that for the purposes of any qualification or franchise" to end of that proviso; and section eight.
4 & 5 Geo. 5, c. 25.	The Electoral Disabilities (Naval and Military Service) Removal Act, 1914.	The whole Act.

NINTH SCHEDULE.

Sections 20 (2), 37.

Redistribution of Seats (*a*).

1. The names, contents, and boundaries of each parliamentary borough and county and division thereof shall be as specified in this schedule.

2. The areas mentioned in the second and last columns (*b*) of this schedule shall be taken to be those areas as constituted on the first day of October nineteen hundred and seventeen: Provided that any misnomer or inaccurate description of any of those areas in those columns shall not in any way prevent or abridge the operation of this Act with respect to the subject of the description if it is so designated as to be commonly understood.

3. The wards mentioned in this schedule are, in relation to any borough in London, wards of the metropolitan borough; in relation to any municipal borough, wards of the municipal borough; and, in relation to any urban district, wards of the urban district.

4. The expression "burgh," when used in this schedule, means a burgh as bounded for police purposes on the first day of October nineteen hundred and seventeen.

5. If any doubt arises as to the constituency in which any parish, townland, ward, or other place, whether larger or smaller than a parish, townland, or ward, is intended by this schedule to be included, that doubt shall be determined by the Local Government Board, or in Scotland by the Secretary for Scotland.

(*a*) See sect. 37, pp. 282—283, *supra*.
(*b*) See note on next page.

[NOTE.—To save space, this Schedule is arranged as appears hereunder, instead of in columns as in the Act. The matter appearing under the heading *Name of Parliamentary Borough* represents the first column, under the heading *Contents of Parliamentary Borough* the second column, under the heading *Total number of Members for Parliamentary Borough* the third column, under the heading *Names of Divisions of Parliamentary Borough* the fourth column, and under the heading *Contents or Boundaries of Divisions* the fifth or last column.]

PART I.

PARLIAMENTARY BOROUGHS.

(1) LONDON.

Name of Parliamentary Borough.

BATTERSEA.

Contents of Parliamentary Borough.

Metropolitan borough of Battersea.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
NORTH.	Church, Latchmere, Nine Elms and Park Wards.
SOUTH.	Bolingbroke, Broomwood, St. John, Shaftesbury and Winstanley Wards.

Name of Parliamentary Borough.

BERMONDSEY.

Contents of Parliamentary Borough.

Metropolitan borough of Bermondsey.

Total number of Members for Parliamentary Borough.

Two.

(1) LONDON—*continued.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
ROTHERHITHE.	St. John, St. Olave and St. Thomas Wards, Wards numbers five and six, Bermondsey, and Wards numbers one, two and three, Rotherhithe.
WEST BERMONDSEY.	Wards numbers one, two, three and four, Bermondsey.

Name of Parliamentary Borough.

BETHNAL GREEN.

Contents of Parliamentary Borough.

Metropolitan borough of Bethnal Green.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
NORTH EAST.	North and East Wards.
SOUTH WEST.	South and West Wards.

Name of Parliamentary Borough.

CAMBERWELL.

Contents of Parliamentary Borough.

Metropolitan borough of Camberwell.

Total number of Members for Parliamentary Borough.

Four.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
DULWICH.	Alleyn, College, Hamlet, Ruskin and St. John's Wards.

(1) LONDON—*continued.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
NORTH.	Coburg, Marlborough, North Peckham and St. George's Wards.
NORTH WEST.	Addington, Lyndhurst, St. Giles, Town Hall and West Wards.
PECKHAM.	Clifton, Goldsmith, Nunhead, The Rye, Rye Lane and St. Mary's Wards.

Name of Parliamentary Borough.

CHELSEA.

Contents of Parliamentary Borough.

Metropolitan borough of Chelsea.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

CITY OF LONDON.

Contents of Parliamentary Borough.

City of London.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

(1) LONDON—*continued.*

Name of Parliamentary Borough.

DEPTFORD.

Contents of Parliamentary Borough.

Metropolitan borough of Deptford.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

FINSBURY.

Contents of Parliamentary Borough.

Metropolitan borough of Finsbury.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

FULHAM.

Contents of Parliamentary Borough.

Metropolitan borough of Fulham.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
EAST.	Baron's Court, Lillie, Sands End and Walham Wards.
WEST.	Hurlingham, Margravine, Munster and Town Wards.

(1) LONDON—*continued.*

Name of Parliamentary Borough.

GREENWICH.

Contents of Parliamentary Borough.

Metropolitan borough of Greenwich.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

HACKNEY.

Contents of Parliamentary Borough.

Metropolitan borough of Hackney.

Total number of Members for Parliamentary Borough.

Three.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
CENTRAL.	Downs, Hackney and Kingsland Wards, and the part of West Hackney Ward which lies to the south and east of a line drawn along the middle of Shacklewell Lane.
NORTH.	Stamford Hill Ward, the part of Clapton Park Ward which lies to the north of a line drawn along the middle of Glenarm Road to its junction with Glyn Road, thence along the middle of Glyn Road to its junction with Redwald Road, thence along the middle of Redwald Road to its junction with Maclaren Street, thence straight to the middle of the nearest gate of the recreation grounds adjoining the premises in Daubeney Road, thence straight to the borough boundary at a point fifty feet north

(1) LONDON—*continued.*

of a boundary post situate at the junction of the Waterworks River with the River Lea at Lead Mill Point, and the part of West Hackney Ward which is not included in the Central Division.

SOUTH.

Homerton and South Hackney Wards, and the part of Clapton Park Ward which is not included in the North Division.

Name of Parliamentary Borough.

HAMMERSMITH.

Contents of Parliamentary Borough.

Metropolitan borough of Hammersmith.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
NORTH.	Numbers four, five, six and seven Wards.
SOUTH.	Numbers one, two and three Wards.

Name of Parliamentary Borough.

HAMPSTEAD.

Contents of Parliamentary Borough.

Metropolitan borough of Hampstead.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

(1) LONDON—*continued.*

Name of Parliamentary Borough.

HOLBORN.

Contents of Parliamentary Borough.

Metropolitan borough of Holborn.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

ISLINGTON.

Contents of Parliamentary Borough.

Metropolitan borough of Islington.

Total number of Members for Parliamentary Borough.

Four.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
EAST.	Canonbury, Highbury and Mildmay Wards.
NORTH.	Tollington, Tufnell and Upper Holloway Wards.
SOUTH.	Barnsbury, St. Mary and St. Peter Wards.
WEST.	Lower Holloway and Thornhill Wards.

Name of Parliamentary Borough.

KENSINGTON.

Contents of Parliamentary Borough.

Metropolitan borough of Kensington.

Total number of Members for Parliamentary Borough.

Two.

(1) LONDON—*continued.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
NORTH.	Golborne, Norland, Pembridge and St. Charles Wards.
SOUTH.	Brompton, Earl's Court, Holland, Queen's Gate and Redcliffe Wards.

Name of Parliamentary Borough.

LAMBETH.

Contents of Parliamentary Borough.

Metropolitan borough of Lambeth.

Total number of Members for Parliamentary Borough.

Four.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
BRIXTON.	Stockwell Ward, the part of Brixton Ward which is not included in the Kennington Division, the part of Herne Hill Ward which lies to the north of a line running from Coldharbour Lane along the north side of the London, Brighton and South Coast Railway to Denmark Hill, and the part of Tulse Hill Ward which lies to the north and west of a line running along the middle of Brixton Hill from Mill Lane to Water Lane, along the middle of Water Lane to Effra Road, and along the middle of Effra Road to Coldharbour Lane.
KENNINGTON.	Vauxhall Ward, the part of Brixton Ward which lies to the north of a line running from Clapham Road along the middle of Stockwell Park Road, Grove Road, Brixton Road, Mostyn Road, Aker-

(1) LONDON—*continued.*

man Road and Lothian Road and across Camberwell New Road to Wyndham Road, and the part of Prince's Ward which is not included in the North Division.

NORTH.

Bishop's and Marsh Wards, and the part of Prince's Ward which lies to the north of a line running from Vauxhall Bridge along the middle of Upper Kennington Lane and Lower Kennington Lane to Newington Butts.

NORWOOD.

Norwood Ward, and the part of each of the Herne Hill and Tulse Hill Wards which is not included in the Brixton Division.

Name of Parliamentary Borough.

LEWISHAM.

Contents of Parliamentary Borough.

Metropolitan borough of Lewisham.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
EAST.	Blackheath, Church, Lewisham Park, Manor and South Wards, and the part of each of the Catford and the Lewisham Village Wards which lies to the east of the centre of the Mid-Kent Branch of the South-Eastern and Chatham Railway.
WEST.	Brockley, Forest Hill and Sydenham Wards, and the part of each of the Catford and the Lewisham Village Wards which is not included in the East Division.

(1) LONDON—*continued.*

Name of Parliamentary Borough.

PADDINGTON.

Contents of Parliamentary Borough.

Metropolitan borough of Paddington.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
NORTH.	Harrow Road, Queen's Park and Maida Vale Wards, and the part of Church Ward which lies to the north and east of a line commencing on the ward boundary at the south side of the Weigh Bridge at the eastern end of Westbourne Terrace Road, and proceeding thence to and along the southern side of the Grand Junction Canal to the Harrow Road Bridge, thence along the middle of Harrow Road to the borough boundary in Edgware Road.
SOUTH.	Hyde Park, Lancaster Gate East, Lancaster Gate West and Westbourne Wards, and the part of Church Ward which is not included in the North Division.

Name of Parliamentary Borough.

POPLAR.

Contents of Parliamentary Borough.

Metropolitan borough of Poplar.

Total number of Members for Parliamentary Borough.

Two.

(1) LONDON—*continued.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
BOW AND BROMLEY.	Bow Central, Bow North, Bow South, Bow West, Bromley North East, Bromley North West and Bromley South West Wards.
SOUTH POPLAR.	Bromley Central, Bromley South East, Poplar Cubitt Town, Poplar East, Poplar Millwall, Poplar North West and Poplar West Wards.

Name of Parliamentary Borough.

ST. MARYLEBONE.

Contents of Parliamentary Borough.

Metropolitan borough of St. Marylebone.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

ST. PANCRAS.

Contents of Parliamentary Borough.

Metropolitan borough of St. Pancras.

Total number of Members for Parliamentary Borough.

Three.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
NORTH.	Wards numbers one and two, and the part of Ward number three which lies to the north and west of a line running along the middle of Camden Road from a point where that road is intersected by the

(1) LONDON—*continued.*

eastern boundary of the metropolitan borough to the point where that road crosses the Regent's Canal and thence westward along the middle of that canal to the western boundary of Ward number three.

SOUTH EAST.

Wards numbers six and eight, and the part of Ward number three which is not included in the North Division.

SOUTH WEST.

Wards numbers four, five and seven.

Name of Parliamentary Borough.

SHOREDITCH.

Contents of Parliamentary Borough.

Metropolitan borough of Shoreditch.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

SOUTHWARK.

Contents of Parliamentary Borough.

Metropolitan borough of Southwark.

Total number of Members for Parliamentary Borough.

Three.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
CENTRAL.	St. Mary's, St. Paul's and Trinity Wards, and the part of the St. George's Ward which is not included in the North and South East Divisions.

(1) LONDON—*continued.*

NORTH.

Christchurch, St. Jude's, St. Michael's and St. Saviour Wards, and the part of the St. George's Ward which lies to the north of a line drawn from Tabard Street along the middle of Wickham Place and of the covered stream which passes between the eastern end of Wickham Place and the borough boundary in Staple Street.

SOUTH EAST.

St. John's and St. Peter's Wards, and the part of St. George's Ward which lies to the south of a line drawn along the middle of New Kent Road and Tower Bridge Road.

Name of Parliamentary Borough.

STEPNEY.

Contents of Parliamentary Borough.

Metropolitan borough of Stepney.

Total number of Members for Parliamentary Borough.

Three.

Names of Divisions of Parliamentary Borough. — *Contents or Boundaries of Divisions.*

LIMEHOUSE.

Limehouse North, Limehouse South, Mile End Old Town North East, Mile End Old Town South East and Ratcliffe Wards.

MILE END.

Mile End Old Town Centre, Mile End Old Town North, Mile End Old Town South, Mile End Old Town West and Whitechapel East Wards.

WHITECHAPEL AND ST. GEORGE'S.

Mile End New Town, St. George-in-the-East North, St. George-in-the-East South, Shadwell, Spitalfields East, Spitalfields West, Whitechapel Middle, Whitechapel South and Tower Wards.

(1) LONDON—*continued.*

Name of Parliamentary Borough.

STOKE NEWINGTON.

Contents of Parliamentary Borough.

Metropolitan borough of Stoke Newington.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

WANDSWORTH.

Contents of Parliamentary Borough.

Metropolitan borough of Wandsworth.

Total number of Members for Parliamentary Borough.

Five.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
BALHAM AND TOOTING.	Tooting Ward and the part of Balham Ward which in not included in the Clapham Division.
CENTRAL.	Fairfield and Springfield Wards.
CLAPHAM.	Clapham North and Clapham South Wards, and the part of Balham Ward which lies to the east and north of a line drawn from the point where the northern boundary of that ward crosses Balham Hill, along the middle of Balham Hill and Balham High Road to a point in that road opposite the middle of Ormeley Road, thence along the middle of Ormeley Road to a point opposite the middle of that road in Cavendish Road, and thence in a

(1) LONDON—*continued.*

southerly direction along the middle of Cavendish Road to the middle of Emmanuel Road, thence along the middle of Emmanuel Road to the ward boundary near the western end of the last-named road.

PUTNEY.

Putney and Southfields Wards.

STREATHAM.

The Streatham Ward.

Name of Parliamentary Borough.

WESTMINSTER.

Contents of Parliamentary Borough.

Metropolitan borough of Westminster.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
ABBEY.	Covent Garden, Great Marlborough, Pall Mall, Regent, St. Anne, St. John, St. Margaret, Strand, and Charing Cross Wards, except the part of Charing Cross Ward which is included in the St. George's Division.
ST. GEORGE'S.	Conduit, Grosvenor, Hamlet of Knightsbridge, Knightsbridge St. George's and Victoria Wards, and the part of Charing Cross Ward which lies to the south and west of a line drawn from the ward boundary at the centre of Wellington Arch, along the middle of Constitution Hill, thence along the middle of the road to the north and east of the Queen Victoria Memorial, thence along the middle of Spur Road to the boundary of St. Margaret Ward.

(1) LONDON—*continued.*

Name of Parliamentary Borough.

WOOLWICH.

Contents of Parliamentary Borough.

Metropolitan borough of Woolwich.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
EAST.	Burrage, Central, Glyndon, St. Margaret's and St. Nicholas Wards.
WEST.	Dockyard, Eltham, Herbert, River, St. George's and St. Mary's Wards.

(2) ENGLAND, EXCLUDING LONDON AND MONMOUTHSHIRE.

Name of Parliamentary Borough.

ACCRINGTON.

Contents of Parliamentary Borough.

Municipal borough of Accrington and urban districts of Church, Clayton-le-Moors, Oswaldtwistle and Rishton.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

ASHTON-UNDER-LYNE.

Contents of Parliamentary Borough.

Municipal borough of Ashton-under-Lyne and urban district of Hurst.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd*

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

BARNSLEY.

Contents of Parliamentary Borough.

County borough of Barnsley and urban districts of Ardsley, Darton and Monk Bretton.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

BARROW-IN-FURNESS.

Contents of Parliamentary Borough.

County borough of Barrow-in-Furness.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

BATH.

Contents of Parliamentary Borough.

County borough of Bath.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

BATLEY AND MORLEY.

Contents of Parliamentary Borough.

Municipal boroughs of Batley, Morley and Ossett.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

BIRKENHEAD.

Contents of Parliamentary Borough.

County borough of Birkenhead.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
EAST.	Argyle, Bebington, Clifton, Egerton and Mersey Wards, together with the part of the borough which lies between the eastern boundary of Argyle, Mersey and Bebington Wards and the centre of the bed of the River Mersey.
WEST.	Claughton, Cleveland, Grange and Oxton Wards.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Name of Parliamentary Borough.

BIRMINGHAM.

Contents of Parliamentary Borough.

County borough of Birmingham.

Total number of Members for Parliamentary Borough.

Twelve.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
ASTON.	Aston Ward and Lozells Ward (except those parts which lie between the southern and south-eastern boundaries thereof and the line next hereinafter described) and the part of each of the All Saints and St. Mary's Wards which lies to the north of the said line. The line above referred to commences at the south-west corner of Lozells Ward in the middle of Hunter's Road, continues south along the middle of that road, the middle of Farm Street, Burbury Street, Gordon Street, Berners Street, Clifford Street, Guildford Street, Paddington Street, Porchester Street, Summer Lane, Asylum Road, High Street, Phillips Street, Aston Road North, Whitehouse Street, Chester Street and Avenue Road to the middle of the Birmingham and Fazeley Canal, thence in a north-easterly direction along the middle of the Canal to the point where the middle of the Canal intersects the boundary of Aston Ward.
DERITEND.	St. Bartholomew's and St. Martin's and Deritend Wards.
DUDDESTON.	Duddeston and Nechells Ward, St. Mary's Ward (except the part thereof included in the Aston Division), and so much of the portion of Aston Ward

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE - *contd.*

which is not included in the Aston Division as lies to the west of the London and North Western Railway.

EDGBASTON.

Edgbaston, Harborne and Market Hall Wards.

ERDINGTON.

Erdington North, Erdington South and Washwood Heath Wards, and the part of Aston Ward which is not included in the Aston and the Duddeston Divisions.

HANDSWORTH.

Handsworth, Sandwell and Soho Wards.

KING'S NORTON.

Northfield and Selly Oak Wards and the part of King's Norton Ward which is not included in the Moseley Division.

LADYWOOD.

Ladywood and Rotton Park Wards.

MOSELEY.

(a) Acocks Green and Sparkhill Wards;

(b) The parts of Balsall Heath and Sparkbrook Wards which are not included in the Sparkbrook Division;

(c) Moseley and King's Heath Ward (except the part thereof included in the Sparkbrook Division); and

(d) The part of King's Norton Ward which lies to the north of Bells Lane and to the east and south-east of the middle of Monyhull Hall Road and Brandwood Road.

SPARKBROOK.

(a) Balsall Heath and Sparkbrook Wards (except the parts thereof which lie to the south and east of the line hereinafter described); and

(b) The part of Moseley and King's Heath Ward which lies to the north of the last-mentioned line.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

The line referred to in paragraphs (a) and (b) above is a line commencing at the point where the boundary between Balsall Heath, and Moseley and King's Heath Wards intersects the middle of Moseley Road, thence proceeding along the middle of that road to Brighton Road, along the middle of Brighton Road, Kingswood Road, Newport Road, Church Road, Woodstock Road, and Anderton Park Road to Stoney Lane, thence along the middle of Stoney Lane to the middle of Stratford Road, thence along the middle of that road, the middle of Walford Road and Golden Hillock Road to the middle of the Birmingham and Warwick Canal, thence southerly along the middle of that canal to the middle of the Great Western Railway, thence along the middle of that railway to its intersection with the southern boundary of Sparkbrook Ward.

WEST BIRMINGHAM.

St. Paul's Ward, All Saints Ward (except the part thereof included in the Aston Division) and the part of Lozells Ward which is not included in the Aston Division.

YARDLEY.

Saltley, Small Heath and Yardley Wards.

Name of Parliamentary Borough.

BLACKBURN.

Contents of Parliamentary Borough.

County borough of Blackburn.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

(2) England, excluding London and Monmouthshire *contd.*

Name of Parliamentary Borough.

BLACKPOOL.

Contents of Parliamentary Borough.

County borough of Blackpool, urban districts of Bispham with Norbreck, Lytham and St. Anne's-on-the-Sea, and the part of the civil parish of Carleton which in pursuance of the Blackpool Improvement Act, 1917, becomes part of the county borough of Blackpool on 1st April, 1918.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

BOLTON.

Contents of Parliamentary Borough.

County borough of Bolton.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

BOOTLE.

Contents of Parliamentary Borough.

County borough of Bootle.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE— *contd.*

Name of Parliamentary Borough.

BOURNEMOUTH.

Contents of Parliamentary Borough.

County borough of Bournemouth.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

BRADFORD.

Contents of Parliamentary Borough.

County borough of Bradford.

Total number of Members for Parliamentary Borough.

Four.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
CENTRAL.	East, Exchange, Manningham, North, South and West Wards.
EAST.	Bradford Moor, East Bowling, Tong and West Bowling Wards.
NORTH.	Allerton, Bolton, Eccleshill, Heaton, Idle and Thornton Wards.
SOUTH.	Great Horton, Lister Hills, Little Horton, North Bierley East and North Bierley West Wards.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Name of Parliamentary Borough.

BRIGHTON.

Contents of Parliamentary Borough.

County borough of Brighton and municipal borough of Hove.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

BRISTOL.

Contents of Parliamentary Borough.

County borough of Bristol.

Total number of Members for Parliamentary Borough.

Five.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
CENTRAL.	Central East, Central West, Redcliff, St. Augustine, St. James, St. Paul, and St. Philip and Jacob South Wards.
EAST.	St. George East and St. George West Wards; the part of Easton Ward which is bounded on the north by a line commencing at the junction of Stapleton Road with the road leading to the Stapleton Road Railway Station and proceeding along the middle of the last-mentioned road to the backs of the houses in Berwick Road and Henrietta Street, thence along the said backs of houses to St. Mark's Avenue, along the middle of St. Mark's Avenue and Bellevue Road to the southern end thereof, thence in a straight line to the middle of King Street, along the middle of King Street and Chel-

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

sea Park to the eastern boundary of the ward; and the part of Somerset Ward which is bounded on the west by a line commencing in the River Avon at the north-west corner of the Castle Rope Works and proceeding along the western boundary of those works and the eastern boundary of Redcliff Cemetery to Bath Road, thence along the middle of Bath Road to the north-east corner of the Roman Catholic Cemetery, thence along the eastern and southern boundaries of that cemetery, thence in a southerly direction along the western boundary of the enclosure which adjoins the east side of Arno's Vale Cemetery, thence in an easterly direction along the southern boundary of the last-mentioned enclosure for a distance of 200 feet, thence in a south-easterly direction in a straight line to the junction of Kensington Park Road and Lodway Road, and thence along the middle of Lodway Road to the city boundary in Talbot Road.

NORTH.

District, St. Philip and Jacob North, and Stapleton Wards, and the part of Easton Ward which is not included in the East Division.

SOUTH.

Bedminster East, Bedminster West, and Southville Wards, and the part of Somerset Ward which is not included in the East Division.

WEST.

Clifton North, Clifton South, Horfield, Redland, St. Michael and Westbury on Trym Wards.

Name of Parliamentary Borough.

BROMLEY.

Contents of Parliamentary Borough.

Municipal borough of Bromley and urban districts of Beckenham and Penge.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

BURNLEY.

Contents of Parliamentary Borough.

County borough of Burnley.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

BURY.

Contents of Parliamentary Borough.

County borough of Bury and urban district of Tottington.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

CAMBRIDGE.

Contents of Parliamentary Borough.

Municipal borouch of Cambridge.

Total number of Members for Parliamentary Borough.

One.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

CARLISLE.

Contents of Parliamentary Borough.

County borough of Carlisle.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

CHELTENHAM.

Contents of Parliamentary Borough.

Municipal borough of Cheltenham and urban district of Charlton Kings.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

COVENTRY.

Contents of Parliamentary Borough.

County borough of Coventry.

Total number of Members for Parliamentary Borough.

One.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

CROYDON.

Contents of Parliamentary Borough.

County borough of Croydon.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
NORTH.	North, South Norwood and Upper Norwood Wards.
SOUTH.	Central, East, South and West Wards.

Name of Parliamentary Borough.

DARLINGTON.

Contents of Parliamentary Borough.

County borough of Darlington.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

DERBY.

Contents of Parliamentary Borough.

County borough of Derby.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

DEWSBURY.

Contents of Parliamentary Borough.

County borough of Dewsbury.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

DUDLEY.

Contents of Parliamentary Borough.

County borough of Dudley and civil parish of Dudley Castle Hill.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

EALING.

Contents of Parliamentary Borough.

Municipal borough of Ealing.

Total number of Members for Parliamentary Borough.

One.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

EAST HAM.

Contents of Parliamentary Borough.

County borough of East Ham.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
NORTH.	Manor Park, Plashet East and Plashet West Wards.
SOUTH.	Beckton and North Woolwich, Central East and Central West Wards.

Name of Parliamentary Borough.

ECCLES.

Contents of Parliamentary Borough.

Municipal borough of Eccles and urban district of Swinton and Pendlebury.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

EDMONTON.

Contents of Parliamentary Borough.

Urban district of Edmonton.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

EXETER.

Contents of Parliamentary Borough.

County borough of Exeter, including Exeter Castle Yard and Devon County Prison and Constabulary Barracks.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

GATESHEAD.

Contents of Parliamentary Borough.

County borough of Gateshead.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

GLOUCESTER.

Contents of Parliamentary Borough.

County borough of Gloucester.

Total number of Members for Parliamentary Borough.

One.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

GREAT YARMOUTH.

Contents of Parliamentary Borough.

County borough of Great Yarmouth.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

GRIMSBY.

Contents of Parliamentary Borough.

County borough of Grimsby and urban district of Cleethorpes.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

HALIFAX.

Contents of Parliamentary Borough.

County borough of Halifax.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Name of Parliamentary Borough.

THE HARTLEPOOLS.

Contents of Parliamentary Borough.

County borough of West Hartlepool and municipal borough of Hartlepool.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

HASTINGS.

Contents of Parliamentary Borough.

County borough of Hastings.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

HORNSEY.

Contents of Parliamentary Borough.

Municipal borough of Hornsey.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Name of Parliamentary Borough.

HUDDERSFIELD.

Contents of Parliamentary Borough.

County borough of Huddersfield.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

HYTHE.

Contents of Parliamentary Borough.

Municipal boroughs of Hythe and Folkestone, the urban district of Cheriton and so much of the urban district of Sandgate as is not comprised in the municipal borough of Folkestone.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

ILFORD.

Contents of Parliamentary Borough.

Urban district of Ilford.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Name of Parliamentary Borough.

IPSWICH.

Contents of Parliamentary Borough.

County borough of Ipswich.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

KINGSTON-UPON-HULL.

Contents of Parliamentary Borough.

County borough of Kingston-upon-Hull.

Total number of Members for Parliamentary Borough.

Four.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
CENTRAL.	Beverley, East Central, Myton, Paragon, West Central and Whitefriars Wards.
EAST.	Alexandra, Drypool and Southcoates Wards.
NORTH WEST.	Albert, Botanic, Newland and Park Wards.
SOUTH WEST.	Coltman, North Newington and South Newington Wards.

Name of Parliamentary Borough.

KINGSTON-UPON-THAMES.

Contents of Parliamentary Borough.

Municipal borough of Kingston-upon-Thames and urban districts of Surbiton, and The Maldens and Coombe.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE *contd.*

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

LEEDS.

Contents of Parliamentary Borough.

County borough of Leeds.

Total number of Members for Parliamentary Borough.

Six.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
CENTRAL.	Central, Mill Hill, South and West Wards; the part of Brunswick Ward which lies to the south of that part of the boundary of the ancient township of Leeds which lies between the ward boundaries in Buslingthorpe Lane and Chapeltown Road, the part of Headingley Ward which lies to the east and south of a line commencing at the ward boundary where the North Eastern Railway Company's Leeds Northern Line crosses the middle of the river Aire and drawn along the middle of that railway to the footbridge over the same at a point to the east of the bandstand in Burley Recreation Ground, thence in a straight line to the middle of the western end of Alexandra Road, thence along the middle of Alexandra Road to Hyde Park Road, thence in a southerly direction along the middle of Hyde Park Road to the ward boundary at the junction of that road with Woodsley Road; and the part of North West Ward which lies to the east and south of a

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

line commencing at the ward boundary at the junction of Hyde Park Road and the back road nearly opposite Hyde Park Terrace and drawn along the middle of the said back road to Woodhouse Lane, thence along the middle of Woodhouse Lane, St. Mark's Street, St. Mark's Road and New Camp Road to the ward boundary at the junction of the last-named road, Servia Road and Servia Terrace.

NORTH.

The parts of Brunswick, Headingley and North-West Wards which are not included in the Central Division, and the part of North Ward which is not included in the North-East Division.

NORTH-EAST.

Roundhay, Seacroft, Shadwell and Crossgates Ward; the part of North Ward which lies to the east and south of a line commencing at a point in the ward boundary in Harrogate Road opposite the western corner of the Old Church Grave Yard and drawn to and along the western, southern and eastern walls of that graveyard to a point immediately opposite the south-eastern corner of the Old Church, thence proceeding in a straight line to the middle of the roadway at the head of the lake in Gledhow Park, thence along the middle of the Gledhow Beck to a point near Tan House Well where the beck is joined by a stream which passes near the western side of Allerton Grange, thence in a straight line to a point in the eastern boundary of North Ward where that boundary coming south from Oxley Hill changes direction eastward near Donisthorpe House; and the part of North-East Ward which is not included in the South-East Division.

SOUTH.

Holbeck and West Hunslet Wards, and the part of New Wortley Ward which lies to the south and east

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE– *contd.*

of a line commencing at the ward boundary where the footpath leading from Gelderd Road to the Upper and Lower Wortley Cemetery crosses the Great Northern Railway Company's West Yorks Railway and drawn along the middle of that railway to the boundary between the New Wortley and Holbeck Wards north-east of Holbeck Railway Station.

SOUTH-EAST.

East and East Hunslet Wards and the part of North-East Ward which lies to the west of Accommodation Road from the ward boundary in Burmantofts Street to the ward boundary in York Road.

WEST.

Armley and Wortley and Bramley Wards, and the part of New Wortley Ward which is not included in the South Division.

Name of Parliamentary Borough.

LEICESTER.

Contents of Parliamentary Borough.

County borough of Leicester.

Total number of Members for Parliamentary Borough.

Three.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
EAST.	Belgrave, Latimer, Spinney Hill and West Humberston Wards.
SOUTH.	Aylstone, Castle, Charnwood, De Montfort, Knighton, Martin's and Wycliffe Wards.
WEST.	Abbey, Newton, St. Margaret's, Westcotes and Wyggeston Wards.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Name of Parliamentary Borough.

LEIGH.

Contents of Parliamentary Borough.

Municipal borough of Leigh and urban districts of Atherton and Tyldesley-with-Shakerley.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

LEYTON.

Contents of Parliamentary Borough.

Urban district of Leyton.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
EAST.	Cann Hall, Grove Green, Harrow Green, Leytonstone, and Wanstead Slip Wards.
WEST.	Central, Forest, Lea Bridge and Leyton Wards.

Name of Parliamentary Borough.

LINCOLN.

Contents of Parliamentary Borough.

County borough of Lincoln and urban district of Bracebridge.

Total number of Members for Parliamentary Borough.

One.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

LIVERPOOL.

Contents of Parliamentary Borough.

County borough of Liverpool.

Total number of Members for Parliamentary Borough.

Eleven.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
* EAST TOXTETH.	Aigburth, Granby, Sefton Park East and Sefton Park West Wards.
EDGE HILL.	Edge Hill and Low Hill Wards, and the part of Kensington Ward which lies to the south and west of a line drawn from the western boundary of the ward along the middle of the road called Kensington to its junction with Holt Road, thence in a southerly direction along the middle of Holt Road to its junction with Edge Lane, and thence in an easterly direction along the middle of Edge Lane to the eastern boundary of the ward.
EVERTON.	Everton and Netherfield Wards.
EXCHANGE.	Abercromby, Castle Street, Exchange, Great George, St. Anne's and St. Peter's Wards, and the part of Vauxhall Ward which lies south of a line drawn from a point in the centre of the River Mersey to the south side of the Prince's Half-Tide Dock, thence in a southerly direction along the Liverpool Overhead Railway to the middle of Deni-

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

son Street, thence along the middle of Denison Street to its junction with Great Howard Street, thence in a southerly direction along the middle of Great Howard Street and Old Hall Street to the junction of the latter with Old Leeds Street, thence along the middle of Old Leeds Street crossing the Lancashire and Yorkshire Railway to a point in Pall Mall opposite the middle of Leeds Street, thence in an easterly direction along the middle of Leeds Street to its junction with Vauxhall Road, thence in a southerly direction along the middle of Vauxhall Road to its junction with Midghall Street, thence along the middle of Midghall Street to the ward boundary in Marybone.

FAIRFIELD.

Fairfield and Old Swan Wards and the part of Kensington Ward which is not included in the Edge Hill Division.

KIRKDALE.

Kirkdale and St. Domingo Wards.

SCOTLAND.

North Scotland, Sandhills and South Scotland Wards, and the part of Vauxhall Ward which is not included in the Exchange Division.

WALTON.

Fazakerley, Walton and Warbreck Wards.

WAVERTREE.

Allerton Childwall and Little Woolton, Garston, Much Woolton, Wavertree and Wavertree West Wards.

WEST DERBY.

Anfield, Breckfield and West Derby Wards.

WEST TOXTETH.

Brunswick, Dingle and Prince's Park Wards.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Name of Parliamentary Borough.

MANCHESTER.

Contents of Parliamentary Borough.

County borough of Manchester.

Total number of Members for Parliamentary Borough.

Ten.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
ARDWICK.	Ardwick, New Cross and St. Mark's Wards.
BLACKLEY.	Blackley, Crumpsall and Moston Wards.
CLAYTON.	Beswick, Bradford and Newton Heath Wards.
EXCHANGE.	Cheetham, Collegiate Church, Exchange, Oxford, St. Ann's, St. Clement's and St. John's Wards, and the part of St. Michael's Ward which lies to the north-west of a line drawn along the middle of Rochdale Road.
GORTON.	Gorton North, Gorton South and Openshaw Wards.
HULME.	Medlock Street, Moss Side West and St. George's Wards.
MOSS SIDE.	All Saints, Moss Side East and St. Luke's Wards.
PLATTING.	Collyhurst, Harpurhey and Miles Platting Wards, and the part of St. Michael's Ward which is not included in the Exchange Division.
RUSHOLME.	Levenshulme, Longsight and Rusholme Wards.
WITHINGTON.	Chorlton-cum-Hardy, Didsbury and Withington Wards.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Name of Parliamentary Borough.

MIDDLESBROUGH.

Contents of Parliamentary Borough.

County borough of Middlesbrough.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
EAST.	Exchange, Grove Hill, Ormesby, St. Hilda's and Vulcan Wards.
WEST.	Acklam, Ayrsome, Cannon, Cleveland, Linthorpe and Newport Wards.

Name of Parliamentary Borough.

MORPETH.

Contents of Parliamentary Borough.

Municipal borough of Morpeth, urban districts of Ashington, Bedlingtonshire and Blyth, and civil parishes of Hepscott, Morpeth Castle, Newminster and Tranwell.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

NELSON AND COLNE.

Contents of Parliamentary Borough.

Municipal boroughs of Colne and Nelson, urban districts of Barrowford, Brierfield and Trawden, and the detached part of the civil parish of Foulridge which is bounded on the north, west, and south by the municipal borough of Colne.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

NEWCASTLE-UNDER-LYME.

Contents of Parliamentary Borough.

Municipal borough of Newcastle-under-Lyme and urban districts of Audley and Wolstanton United.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

NEWCASTLE-UPON-TYNE.

Contents of Parliamentary Borough.

County borough of Newcastle-upon-Tyne.

Total number of Members for Parliamentary Borough.

Four.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
CENTRAL.	All Saints, St. John's, St. Nicholas, Stephenson and Westgate Wards.
EAST.	Byker, St. Anthony's, St. Lawrence and Walker Wards.
NORTH.	Dene, Heaton, Jesmond, St. Andrew's and St. Thomas Wards.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

WEST.

Armstrong, Arthur's Hill, Benwell, Elswick and Fenham Wards.

Name of Parliamentary Borough.

NORTHAMPTON.

Contents of Parliamentary Borough.

County borough of Northampton.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

NORWICH.

Contents of Parliamentary Borough.

County borough of Norwich.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

NOTTINGHAM.

Contents of Parliamentary Borough.

County borough of Nottingham.

Total number of Members for Parliamentary Borough.

Four.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE —*contd.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
CENTRAL.	Forest, Market, Robin Hood, St. Ann's and Sherwood Wards.
EAST.	Byron, Manvers, Mapperley and St. Mary's Wards.
SOUTH.	Bridge, Castle, Meadows and Trent Wards.
WEST.	Broxtowe, St. Albans and Wollaton Wards.

Name of Parliamentary Borough.

OLDHAM.

Contents of Parliamentary Borough.

County borough of Oldham.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

OXFORD.

Contents of Parliamentary Borough.

County borough of Oxford.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Name of Parliamentary Borough.

PLYMOUTH.

Contents of Parliamentary Borough.

County borough of Plymouth.

Total number of Members for Parliamentary Borough.

Three.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
DRAKE.	Drake's, Mount Edgcumbe, Mutley, Pennycross, St. Peter's, Stoke and Valletort Wards.
DEVONPORT.	Ford, Keyham, Molesworth, Nelson, St. Aubyn and St. Budeaux Wards.
SUTTON.	Charles, Compton, Friary, Laira, St. Andrew's, Sutton and Vintry Wards.

Name of Parliamentary Borough.

PORTSMOUTH.

Contents of Parliamentary Borough.

County borough of Portsmouth.

Total number of Members for Parliamentary Borough.

Three.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
CENTRAL.	Buckland, Fratton, Kingston, St. Mary and Town Hall Wards.
NORTH.	Charles Dickens, Mile End, North End and Portsea Wards.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

SOUTH.

Havelock, Highland, St. Paul, St. Simon and St. Thomas Wards.

Name of Parliamentary Borough.

PRESTON.

Contents of Parliamentary Borough.

County borough of Preston and urban district of Fulwood.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

READING.

Contents of Parliamentary Borough.

County borough of Reading.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

RICHMOND.

Contents of Parliamentary Borough.

Municipal borough of Richmond and urban districts of Barnes and Ham.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

ROCHDALE.

Contents of Parliamentary Borough.

County borough of Rochdale.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

ROCHESTER.

Contents of Parliamentary Borough.

Municipal boroughs of Chatham, Gillingham and Rochester.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
GILLINGHAM.	Municipal borough of Gillingham, St. Mary Ward of the borough of Chatham, and the part of the municipal borough of Rochester which is not included in the Chatham Division.
CHATHAM.	Municipal borough of Rochester (except the part of St. Peter's Ward which lies to the north and east of a line drawn, in prolongation of that part of the

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

borough boundary which lies between St. Bartholomew's Chapel and Boundary Wharf, to the borough boundary in the River Medway), and Luton and St. John Wards of the municipal borough of Chatham.

Name of Parliamentary Borough.

ROSSENDALE.

Contents of Parliamentary Borough.

Municipal boroughs of Bacup, Haslingden and Rawtenstall.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

ROTHERHAM.

Contents of Parliamentary Borough.

County borough of Rotherham, and urban districts of Greasbrough and Rawmarsh.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

ST. HELEN'S.

Contents of Parliamentary Borough.

County borough of St. Helen's.

Total number of Members for Parliamentary Borough.

One.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

SALFORD.

Contents of Parliamentary Borough.

County borough of Salford.

Total number of Members for Parliamentary Borough.

Three.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
NORTH.	Albert Park, Charlestown, Grosvenor, Kersal and St. Matthias Wards.
SOUTH.	Crescent, Islington, Ordsall, Regent, Trafford, Trinity and Weaste Wards.
WEST.	Hope, St. Paul, St. Thomas and Seedley Wards.

Name of Parliamentary Borough.

SHEFFIELD.

Contents of Parliamentary Borough.

County borough of Sheffield.

Total number of Members for Parliamentary Borough.

Seven.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
ATTERCLIFFE.	Attercliffe and Darnall Wards.
BRIGHTSIDE.	Brightside and Burngreave Wards.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

CENTRAL.

St. Peter's and St. Philip's Wards, and the part of Broomhall Ward which lies to the east of a line drawn along the middle of Broomhall Street from the point where that street intersects the northern boundary of the ward to the point opposite the middle of Hanover Street, thence along the middle of Hanover Street to the southern boundary of the ward.

ECCLESALL.

Ecclesall and Sharrow Wards.

HALLAM.

Crookesmoor and Hallam Wards, and the part of Broomhall Ward which is not included in the Central Division.

HILLSBOROUGH.

Hillsborough, Neepsend and Walkley Wards.

PARK.

Heeley and Park Wards.

Name of Parliamentary Borough.

SMETHWICK.

Contents of Parliamentary Borough.

County borough of Smethwick.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

SOUTHAMPTON.

Contents of Parliamentary Borough.

County borough of Southampton, urban district of Itchen, and civil parish of Bitterne.

(2) England, excluding London and Monmouthshire—*contd.*

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

SOUTHEND-ON-SEA.

Contents of Parliamentary Borough.

County borough of Southend-on-Sea.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

SOUTHPORT.

Contents of Parliamentary Borough.

County borough of Southport.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

SOUTH SHIELDS.

Contents of Parliamentary Borough.

County borough of South Shields.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Name of Parliamentary Borough.

STOCKPORT.

Contents of Parliamentary Borough.

County borough of Stockport.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

STOCKTON-ON-TEES.

Contents of Parliamentary Borough.

Municipal boroughs of Stockton-on-Tees and Thornaby-on-Tees.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

STOKE-ON-TRENT.

Contents of Parliamentary Borough.

County borough of Stoke-on-Trent.

Total number of Members for Parliamentary Borough.

Three.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
BURSLEM.	Numbers one, two, three, four, five, six, seven and eight Wards.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

HANLEY.

Numbers nine, ten, eleven, twelve, thirteen, fourteen, fifteen and sixteen Wards.

STOKE.

Numbers seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five and twenty-six Wards.

Name of Parliamentary Borough.

SUNDERLAND.

Contents of Parliamentary Borough.

County borough of Sunderland and urban district of Southwick-on-Wear.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

TOTTENHAM.

Contents of Parliamentary Borough.

Urban district of Tottenham.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
NORTH.	
	Lower, Middle and West Green Wards.
SOUTH.	
	Harringay, High Cross and St. Ann's Wards.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Name of Parliamentary Borough.

TYNEMOUTH.

Contents of Parliamentary Borough.

County borough of Tynemouth.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

WAKEFIELD.

Contents of Parliamentary Borough.

County borough of Wakefield.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

WALLASEY.

Contents of Parliamentary Borough.

County borough of Wallasey.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Name of Parliamentary Borough.

WALLSEND.

Contents of Parliamentary Borough.

Municipal borough of Wallsend and urban districts of Gosforth, Longbenton and Weetslade.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

WALSALL.

Contents of Parliamentary Borough.

County borough of Walsall.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

WALTHAMSTOW.

Contents of Parliamentary Borough.

Urban district of Walthamstow.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
EAST.	Hale End, Hoe Street and Wood Street Wards.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

WEST.

Higham Hill, High Street and St. James Street Wards.

Name of Parliamentary Borough.

WARRINGTON.

Contents of Parliamentary Borough.

County borough of Warrington.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

WEDNESBURY.

Contents of Parliamentary Borough.

Municipal borough of Wednesbury, and urban districts of Darlaston and Tipton.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

WEST BROMWICH.

Contents of Parliamentary Borough.

County borough of West Bromwich.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

WEST HAM.

Contents of Parliamentary Borough.

County borough of West Ham.

Total number of Members for Parliamentary Borough.

Four.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
PLAISTOW.	Hudsons and Plaistow Wards, and the part of Canning Town Ward which is not included in the Silvertown Division.
SILVERTOWN.	Custom House and Silvertown, and Tidal Basin Wards, and the part of Canning Town Ward which lies to the south and east of a line drawn from the ward boundary in Hermit Road along the middle of Star Lane to the middle of the Woolwich Branch of the Great Eastern Railway, thence southwards along the middle of that railway to the ward boundary in Barking Road.
STRATFORD.	Broadway, Forest Gate, High Street and New Town Wards.
UPTON.	Park, Upton and West Ham Wards.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Name of Parliamentary Borough.

WIGAN.

Contents of Parliamentary Borough.

County borough of Wigan.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

WILLESDEN.

Contents of Parliamentary Borough.

Urban district of Willesden.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
EAST.	Brondesbury Park, Cricklewood, Kensal Rise, Mid Kilburn, North Kilburn and South Kilburn Wards.
WEST.	Church End, Harlesden, Roundwood, Stonebridge and Willesden Green Wards.

Name of Parliamentary Borough.

WIMBLEDON.

Contents of Parliamentary Borough.

Municipal borough of Wimbledon, and urban district of Merton and Morden.

Total number of Members for Parliamentary Borough.

One.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

WOLVERHAMPTON.

Contents of Parliamentary Borough.

County borough of Wolverhampton, and urban districts of Bilston, Coseley, Heath Town or Wednesfield Heath, Sedgley, Short Heath, Wednesfield and Willenhall.

Total number of Members for Parliamentary Borough.

Three.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
BILSTON.	Urban districts of Bilston, Coseley and Sedgley.
EAST.	St. James's, St. Mary's, and St. Peter's Wards of the county borough of Wolverhampton, and urban districts of Heath Town or Wednesfield Heath, Short Heath, Wednesfield and Willenhall.
WEST.	Blakenhall, Dunstall, Graiseley, Merridale, Park, St. George's, St. John's, St. Mark's and St. Matthew's Wards of the county borough of Wolverhampton.

Name of Parliamentary Borough.

WORCESTER.

Contents of Parliamentary Borough.

County borough of Worcester.

Total number of Members for Parliamentary Borough.

One.

(2) ENGLAND, excluding LONDON and MONMOUTHSHIRE—*contd.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

YORK.

Contents of Parliamentary Borough.

County borough of York (with York Castle).

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

(3) WALES AND MONMOUTHSHIRE.

Name of Parliamentary Borough.

CARDIFF.

Contents of Parliamentary Borough.

County borough of Cardiff, and urban district of Penarth.

Total number of Members for Parliamentary Borough.

Three.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
CENTRAL.	Canton, Cathays, Central and Riverside Wards of county borough of Cardiff.
EAST.	Park, Roath and Splott Wards of county borough of Cardiff.
SOUTH.	Adamsdown, Grangetown and South Wards of county borough of Cardiff and urban district of Penarth.

(3) WALES AND MONMOUTHSHIRE—*continued.*

Name of Parliamentary Borough.

CARNARVON DISTRICT OF BOROUGHS.

Contents of Parliamentary Borough.

Municipal boroughs of Bangor, Carnarvon, Conway and Pwllheli, urban districts of Criccieth, Llandudno, Llanfairfechan and Penmaenmawr, and civil parish of Nevin.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

MERTHYR TYDFIL.

Contents of Parliamentary Borough.

County borough of Merthyr Tydfil, and urban districts of Aberdare and Mountain Ash.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
ABERDARE.	Urban districts of Aberdare and Mountain Ash.
MERTHYR.	County borough of Merthyr Tydfil.

Name of Parliamentary Borough.

NEWPORT.

Contents of Parliamentary Borough.

County borough of Newport.

Total number of Members for Parliamentary Borough.

One.

(3) WALES AND MONMOUTHSHIRE—*continued.*

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

RHONDDA.

Contents of Parliamentary Borough.

Urban district of Rhondda.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
EAST.	Numbers seven, eight, nine and ten Wards, and the part of number six Ward which is not included in the West Division.
WEST.	Numbers one, two, three, four and five Wards, and the part of number six Ward which lies to the west of the middle of the River Rhondda and is known as Tonypandy.

Name of Parliamentary Borough.

SWANSEA.

Contents of Parliamentary Borough.

County borough of Swansea.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
EAST.	East, Landore, Morriston and St. John's Wards.
WEST.	Alexandra, Bryn Melyn, Castle, Ffynone, St. Helen's and Victoria Wards.

(4) Boroughs in Scotland.

Name of Parliamentary Borough.

ABERDEEN.

Contents of Parliamentary Borough.

County of the City of Aberdeen.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
North.	Greyfriars, St. Andrew, St. Clement, St. Machar, Torry and Woodside Municipal Wards.
South.	Ferryhill, Rosemount, Rubislaw, Ruthrieston and St. Nicholas Municipal Wards.

Name of Parliamentary Borough.

AYR DISTRICT OF BURGHS.

Contents of Parliamentary Borough.

Burghs of Ayr, Ardrossan, Irvine, Prestwick, Saltcoats, and Troon.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

DUMBARTON DISTRICT OF BURGHS.

Contents of Parliamentary Borough.

Burghs of Dumbarton and Clydebank.

(4) Boroughs in Scotland—*continued.*

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

DUNDEE.

Contents of Parliamentary Borough.

County of the City of Dundee.

Total number of Members for Parliamentary Borough.

Two.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

DUNFERMLINE DISTRICT OF BURGHS.

Contents of Parliamentary Borough.

Burghs of Dunfermline, Cowdenbeath, Inverkeithing, and Lochgelly.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

EDINBURGH.

Contents of Parliamentary Borough.

County of the City of Edinburgh and Burgh of Musselburgh.

(4) Boroughs in Scotland—*continued.*

Total number of Members for Parliamentary Borough.

Five.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
Central.	George Square, St. Giles' and St. Leonard's Municipal Wards of Edinburgh.
East.	Burgh of Musselburgh and Canongate and Portobello Municipal Wards of Edinburgh.
North.	Broughton, Calton, St. Andrew's and St. Stephen's Municipal Wards of Edinburgh.
South.	Merchiston, Morningside, and Newington Municipal Wards of Edinburgh.
West.	Dalry, Gorgie, Haymarket and St. Bernard's Municipal Wards of Edinburgh.

Name of Parliamentary Borough.

GLASGOW.

Contents of Parliamentary Borough.

County of the City of Glasgow.

Total number of Members for Parliamentary Borough.

Fifteen.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*
Bridgeton.	That portion of the city which is bounded by a line commencing at a point on the centre line of London Road, where the road is crossed by the Caledonian Railway (Glasgow Lines), thence southwestward and southward along the centre line of the said railway to where it joins the Caledonian

(4) Boroughs in Scotland—*continued.*

Railway Branch Line from Dalmarnock to Rutherglen, thence southward along the centre line of the said last-mentioned railway to a point on the municipal boundary at the centre line of the River Clyde, thence south-westward and north-westward along the municipal boundary of the city to a point on the centre line of the River Clyde about 77 yards south-eastward from the centre of Rutherglen Bridge, thence westward, northward and westward along the centre line of the River Clyde to the centre of Albert Bridge, thence northward along the centre line of Saltmarket to the centre line of Gallowgate, thence eastward along the centre line of Gallowgate to the centre line of Abercromby Street, thence south-westward along the centre line of Abercromby Street to the centre line of Canning Street, thence eastward along the centre line of Canning Street and London Road to the point of commencement.

Camlachie.

That portion of the city which is bounded by a line commencing at a point on the municipal boundary on the south-east side of Cumbernauld Road where that road is intersected by the east side of the Caledonian Railway (Glasgow Lines), thence southward along the municipal boundary to a point about 299 yards north-westward from the centre of Carntyne Road, where the municipal boundary intersects that road, thence north-westward to a point on the centre line of the said railway 380 yards south of the centre line of Cumbernauld Road, thence south-westward and southward along the centre line of the said railway to the centre line of London Road, thence westward along the centre line of London Road and Canning Street to the centre line of Abercromby Street, thence north-eastward along the centre line of Abercromby Street to the centre line

(4) Boroughs in Scotland—*continued.*

of Gallowgate, thence westward along the centre line of Gallowgate to the centre line of Sydney Street, thence northward along the centre line of Sydney Street to the centre line of Duke Street, thence eastward along the centre line of Duke Street to the centre line of Ark Lane, thence northward along the centre line of Ark Lane and Firpark Street to the centre line of Alexandra Parade, thence eastward and north-eastward along the centre line of Alexandra Parade, and Cumbernauld Road to the east side of the Caledonian Railway (Glasgow Lines), thence southward to the point of commencement.

Cathcart.

That portion of the city which is bounded by a line commencing at a point on the municipal boundary at the centre of Kilmarnock Road, thence northward along the centre line of Kilmarnock Road to the centre line of the River Cart, thence south-eastward and eastward along the centre line of the River Cart to the centre line of Langside Road at Millbrae Bridge, thence north-eastward along the centre line of Langside Road, Millbrae Road and Langside Road, to the centre line of the main avenue in the Queen's Park near Victoria Infirmary, thence northward along the centre line of the said main avenue to the centre line of Queen's Drive, thence northward along the centre line of Victoria Road to the centre line of the Glasgow and South Western Railway about 46 yards north of the centre line of Butterbiggins Road, thence north-eastward along the centre line of the said Glasgow and South Western Railway to the centre line of the Caledonian Railway Main Line from Glasgow to Rutherglen, thence south-eastward along the centre line of the said Caledonian Railway to the muni-

(4) Boroughs in Scotland—*continued.*

cipal boundary, thence south-westward and westward along the municipal boundary to the point of commencement.

Central.

That portion of the city which is bounded by a line commencing at a point at the intersection of the centre lines of Parliamentary Road and Castle Street, thence southward along the centre line of Castle Street to the centre line of Alexandra Parade, thence eastward along the centre line of Alexandra Parade to the centre line of Firpark Street, thence southward along the centre line of Firpark Street and Ark Lane to the centre line of Duke Street, thence westward along the centre line of Duke Street to the centre line of Sydney Street, thence southward along the centre line of Sydney Street to the centre line of Gallowgate, thence westward along the centre line of Gallowgate to the centre line of Saltmarket, thence southward along the centre line of Saltmarket and Albert Bridge to the centre line of the River Clyde, thence westward along the centre line of the River Clyde to a point in line with the centre line of McAlpine Street, thence northward along the centre line of McAlpine Street, Pitt Street and Scott Street to the centre line of New City Road, thence south-eastward along the centre line of New City Road and Cowcaddens to the centre line of Buchanan Street, thence southward along the centre line of Buchanan Street to the centre line of Parliamentary Road, thence north-eastward along the centre line of Parliamentary Road to the point of commencement.

Gorbals.

That portion of the city which is bounded by a line commencing at a point on the municipal boundary at the centre line of the River Clyde about 77

(4) Boroughs in Scotland—*continued.*

yards east of the centre of Rutherglen Bridge, thence south-westward along the municipal boundary to the centre of the Caledonian Railway Main Line from Glasgow to Rutherglen, thence north-westward along the centre line of the said Caledonian Railway to the centre line of the Glasgow and South Western Railway, thence south-westward along the centre line of the said Glasgow and South Western Railway to the centre line of Victoria Road, thence northward along the centre line of Victoria Road, Eglinton Street, Bridge Street and Glasgow Bridge to the centre line of the River Clyde, thence south-eastward along the centre line of the River Clyde to the point of commencement.

Govan.

That portion of the city which is bounded by a line commencing at a point on the municipal boundary at the centre of the River Clyde in line with the continuation of the centre line of Balmoral Street, thence eastward along the centre line of the River Clyde to a point in line with the continuation of the centre line of the portion of Govan Road to the west of Princes Dock, thence southward to and along the centre line of the said portion of Govan Road, Whitefield Road, Church Road and continuation thereof to the centre of the Glasgow and Paisley Joint Railway, thence westward along the centre line of the said Glasgow and Paisley Joint Railway to the municipal boundary, thence north-westward, northward, and eastward along the municipal boundary to the point of commencement.

Hillhead.

That portion of the city which is bounded by a line commencing at a point in the municipal boundary at its intersection with the centre line of the River Kelvin, thence south-eastward, southward and

(4) Boroughs in Scotland—*continued.*

south-westward along the centre line of the River Kelvin to the centre line of the North British Railway (Stobcross Branch), thence north-westward along the centre of the said North British Railway to its intersection with the municipal boundary, thence north-eastward along the municipal boundary to the point of commencement.

Kelvingrove.

That portion of the city which is bounded by a line commencing at a point at the intersection of the centre line of New City Road and Scott Street, thence southward along the centre line of Scott Street, Pitt Street and McAlpine Street and continuation thereof to the centre line of the River Clyde, thence westward along the centre line of the River Clyde to its intersection with the centre line of the River Kelvin, thence north-eastward along the centre line of the River Kelvin to the centre line of Great Western Road, thence south-eastward along the centre line of Great Western Road and New City Road to the point of commencement.

Maryhill.

That portion of the city which is bounded by a line commencing at a point on the municipal boundary at the centre line of the North British Railway (Edinburgh and Glasgow Line) about 327 yards north of the centre of Hawthorn Street, where the said North British Railway intersects that street, thence south-eastward and southward along the centre of the said North British Railway to the centre line of Keppochhill Road, thence south-westward and westward along the centre line of Keppochhill Road to the centre line of Saracen Street, thence south-westward along the centre line of Possil Road to the centre line of the Forth and Clyde Canal, thence north-westward along the centre line

(4) BOROUGHS IN SCOTLAND—*continued.*

of the Forth and Clyde Canal to a point in line with the centre line of Well Road, thence south-westward along the centre line of Well Road to the centre line of New City Road, thence westward along the centre line of Raeberry Street and Carlton Gardens to the centre line of Belmont Street, thence south-westward along the centre line of Belmont Street to the centre line of the River Kelvin, thence north-westward along the centre line of the River Kelvin to its intersection with the municipal boundary, thence north-eastward and south-eastward along the municipal boundary to the point of commencement.

PARTICK.

That portion of the city which is bounded by a line commencing at a point on the municipal boundary at the centre line of the North British Railway (Stobcross Branch), thence south-eastward along the centre line of the said North British Railway to the centre line of the River Kelvin, thence south-westward along the centre line of the River Kelvin to the centre line of the River Clyde, thence westward along the centre line of the River Clyde, to the municipal boundary, thence northward and north-eastward along the municipal boundary to the point of commencement.

POLLOK.

That portion of the city which is bounded by a line commencing at a point on the municipal boundary at the centre line of the Glasgow and Paisley Joint Railway, thence eastward along the centre line of the said Glasgow and Paisley Joint Railway and the Caledonian Railway to the centre line of Shields Road, thence southward along the centre line of Shields Road to the centre line of the Glasgow and South Western Railway (Paisley Canal Line),

(4) Boroughs in Scotland—*continued.*

thence eastward along the centre line of the said Glasgow and South Western Railway to the centre line of Eglinton Street, thence southward along the centre line of Eglinton Street and Victoria Road to the centre line of Queen's Drive, thence southward along the centre line of the main avenue in the Queen's Park to the centre line of Langside Road, thence south-westward along the centre line of Langside Road to the centre line of Millbrae Road, thence south-westward along the centre line of Millbrae Road and Langside Road to the centre line of the River Cart at Millbrae Bridge, thence westward and north-westward along the centre line of the River Cart to the centre line of Kilmarnock Road, thence southward along the centre line of Kilmarnock Road to the municipal boundary, thence north-westward, south-westward, northward, westward and northward along the municipal boundary to the point of commencement.

St. Rollox.

That portion of the city which is bounded by a line commencing at a point at the intersection of Springburn Road and Parliamentary Road, thence south-westward along the centre line of Parliamentary Road to the centre line of Buchanan Street, thence northward along the centre line of Buchanan Street to the centre line of Cowcaddens, thence north-westward along the centre line of Cowcaddens, New City Road and Great Western Road to the centre line of the River Kelvin, thence northward along the centre line of the River Kelvin to the centre line of Belmont Street, thence north-eastward along the centre line of Belmont Street to the centre line of Carlton Gardens, thence eastward along the centre line of Carlton Gardens and Raeberry Street to the centre line of New City Road,

(4) BOROUGHS IN SCOTLAND—*continued.*

thence north-eastward along the centre line of Well Road and continuation thereof to the centre line of the Forth and Clyde Canal, thence south-eastward along the centre line of the Forth and Clyde Canal to the centre line of Possil Road, thence north-eastward along the centre line of Possil Road to the centre line of Saracen Street, thence eastward and north-eastward along the centre line of Keppochhill Road to the centre of the North British Railway (Edinburgh and Glasgow Line), thence south-westward along the centre line of the said North British Railway to the centre line of Fountainwell Road, thence south-eastward along the centre line of Fountainwell Road to the centre line of Springburn Road, thence southward along the centre line of Springburn Road to the point of commencement.

SHETTLESTON.

That portion of the city which is bounded by a line commencing at a point on the municipal boundary about 299 yards north-westward from the centre of Carntyne Road, at a point where the municipal boundary intersects that road, thence eastward, south-eastward and westward along the municipal boundary to the centre of the Caledonian Railway Branch Line from Rutherglen to Dalmarnock, thence northward along the centre line of the said railway until it joins the Caledonian Railway (Glasgow Lines), thence northward, north-eastward, northward and north-eastward along the centre line of the last-mentioned railway to a point 380 yards south of the centre line of Cumbernauld Road, thence south-eastward to the point of commencement.

SPRINGBURN.

That portion of the city which is bounded by a line commencing at a point on the municipal boun-

(4) BOROUGHS IN SCOTLAND—*continued.*

dary on the south-east side of Cumbernauld Road, where that road is intersected by the east side of the Caledonian Railway (Glasgow Lines), thence northward to the centre line of Cumbernauld Road, thence south-westward and westward along the centre line of Cumbernauld Road and Alexandra Parade to the centre line of Castle Street, thence northward along the centre line of Castle Street and Springburn Road to the centre line of Fountainwell Road, thence north-westward along the centre line of Fountainwell Road to the centre line of the North British Railway (Edinburgh and Glasgow Line), thence northward along the centre line of the said North British Railway to a point on the municipal boundary about 327 yards north of the centre of Hawthorn Street, where the said North British Railway intersects that street, thence northward, eastward, southward, eastward, southward, westward, south-eastward and south-westward along the municipal boundary to the point of commencement.

TRADESTON.

That portion of the city which is bounded by a line commencing at a point on the centre of Glasgow Bridge at the centre line of the River Clyde, thence southward along the centre line of Glasgow Bridge, Bridge Street and Eglinton Street to the centre line of the Glasgow and South Western Railway at Eglinton Street Station, thence westward along the centre line of the Glasgow and South Western Railway (Paisley Canal Line) to the centre line of Shields Road, thence northwards along the centre line of Shields Road to the centre line of the Caledonian Railway, thence westward along the centre line of the said Caledonian Railway and the Glasgow and Paisley Joint Railway to a point in

(4) Boroughs in Scotland—*continued.*

line with the centre line of Church Road, thence northward along the centre line of Church Road, Whitefield Road, and the portion of Govan Road to the west of Princes Dock and continuation thereof to the centre line of the River Clyde, thence eastward along the centre line of the River Clyde to the point of commencement.

Name of Parliamentary Borough.

GREENOCK.

Contents of Parliamentary Borough.

Burgh of Greenock.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

KIRKCALDY DISTRICT OF BURGHS.

Contents of Parliamentary Borough.

Burghs of Kirkcaldy, Buckhaven Methil and Innerleven, Burntisland, Dysart and Kinghorn.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

LEITH.

Contents of Parliamentary Borough.

Burgh of Leith.

(4) BOROUGHS IN SCOTLAND—*continued.*

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

MONTROSE DISTRICT OF BURGHS.

Contents of Parliamentary Borough.

Burghs of Montrose, Arbroath, Brechin, Forfar and Inverbervie.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

PAISLEY.

Contents of Parliamentary Borough.

Burgh of Paisley.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

Name of Parliamentary Borough.

STIRLING AND FALKIRK DISTRICT OF BURGHS.

Contents of Parliamentary Borough.

Burghs of Stirling, Falkirk and Grangemouth.

Total number of Members for Parliamentary Borough.

One.

Names of Divisions of Parliamentary Borough.	*Contents or Boundaries of Divisions.*

PART II.

PARLIAMENTARY COUNTIES.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE.

Name of Parliamentary County.

BEDFORD.

Contents of Parliamentary County.

The administrative county of Bedford.

Total number of Members for Parliamentary County.

Three.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
BEDFORD.	The rural districts of Bedford and Eaton Socon, the municipal borough of Bedford, and the urban district of Kempston.
LUTON.	The rural district of Luton, and the municipal boroughs of Dunstable and Luton.
MID.	The rural districts of Ampthill, Biggleswade, and Eaton Bray, and the urban districts of Ampthill, Biggleswade, and Leighton Buzzard.

Name of Parliamentary County.

BERKS.

Contents of Parliamentary County.

The administrative county of Berks.

Total number of Members for Parliamentary County.

Three.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
ABINGDON.	The rural districts of Abingdon, Wallingford, and Wantage, the part of the rural district of Bradfield

(1) England, excluding Monmouthshire—*continued.*

which consists of the civil parishes of Ashampstead, Basildon, Frilsham, Streatley, and Yattendon, the part of the rural district of Faringdon which is within the administrative county of Berks, the municipal boroughs of Abingdon and Wallingford, and the urban district of Wantage.

Newbury.

The rural districts of Hungerford and Newbury, the part of the rural district of Bradfield which is not included in the Abingdon Division, the part of the rural district of Wokingham which is not included in the Windsor Division, and the municipal boroughs of Newbury and Wokingham.

Windsor.

The rural districts of Cookham, Easthampstead, and Windsor, the part of the rural district of Wokingham which consists of the civil parishes of Remenham, Ruscombe, Twyford, and Wargrave, and the municipal boroughs of Maidenhead and New Windsor.

Name of Parliamentary County.

BUCKS.

Contents of Parliamentary County.

The administrative county of Bucks.

Total number of Members for Parliamentary County.

Three.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Aylesbury.	The rural district of Amersham, the part of the rural district of Aylesbury which is not included in the Buckingham Division, the part of the rural district of Long Crendon which consists of the

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued.*

civil parish of Towersey, the part of the rural district of Wycombe which consists of the civil parishes of Bledlow, Bradenham, Ellesborough, Great and Little Hampden, Great and Little Kimble, Horsenden, Hughenden, Ilmer, Monks Risborough, Princes Risborough, Radnage, Saunderton, and Wendover, the municipal borough of Aylesbury, and the urban districts of Beaconsfield and Chesham.

BUCKINGHAM.

The rural districts of Buckingham, Newport Pagnell, Stratford and Wolverton, Wing, and Winslow, the part of the rural district of Aylesbury which consists of the civil parishes of Ashenden, Chearsley, Grendon Underwood, Kingswood, Ludgershall, Woodham, and Wotton Underwood, the part of the rural district of Long Crendon which is not included in the Aylesbury Division, the municipal borough of Buckingham, and the urban districts of Bletchley, Newport Pagnell, and Linslade.

WYCOMBE.

The rural districts of Eton and Hambledon, the part of the rural district of Wycombe which is not included in the Aylesbury Division, the municipal borough of Chepping Wycombe, and the urban districts of Eton, Marlow, and Slough.

Name of Parliamentary County.

CAMBRIDGE.

Contents of Parliamentary County.

The administrative county of Cambridge, exclusive of the part thereof comprised in the parliamentary borough of Cambridge.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

(1) England, excluding Monmouthshire—*continued*.

Name of Parliamentary County.

CHESTER.

Contents of Parliamentary County.

The administrative county of Chester and the county borough of Chester.

Total number of Members for Parliamentary County.

Nine.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Altrincham.	The part of the rural district of Bucklow which is not included in the Knutsford Division, and the urban districts of Altrincham, Ashton-upon-Mersey, Bowdon, Cheadle and Gatley, Hale, Handforth, Lymm, and Sale.
City of Chester.	The rural district of Chester, the county borough of Chester, and the urban district of Hoole.
Crewe.	The part of the rural district of Congleton which consists of the civil parishes of Arclid, Betchton, Church Lawton, Hassall, Moreton-cum-Alcumlow, Odd Rode, Smallwood, and Wheelock, the part of the rural district of Nantwich which consists of the civil parishes of Barthomley, Basford, Church Coppenhall, Chorlton, Crewe, Haslington, Hough, Rope, Shavington-cum-Gresty, Stapeley, Weston, Willaston, Wistaston, and Wybunbury, the municipal borough of Crewe, and the urban districts of Alsager and Nantwich.
Eddisbury.	The rural districts of Malpas and Tarvin, the part of the rural district of Nantwich which is not included in the Crewe Division, the part of the rural

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

district of Northwich which consists of the civil parishes of Crowton, Cuddington, Darnhall, Delamere, Eddisbury, Little Budworth, Marton, Oakmere, and Wimboldsley, the part of the rural district of Runcorn which consists of the civil parishes of Alvanley, Frodsham, Frodsham Lordship, Helsby, Kingsley, Kingswood, Manley, Newton-by-Frodsham, and Norley, and the urban district of Tarporley.

KNUTSFORD.

The part of the rural district of Bucklow which consists of the civil parishes of Aston-by-Budworth, Bexton, Marthall-cum-Warford, Mere, Mobberley, Ollerton, Peover Inferior, Peover Superior, Pickmere, Plumley, Styal, Tabley Inferior, Tabley Superior, Tatton, and Toft; the part of the rural district of Congleton which is not included in the Crewe, Macclesfield, and Northwich Divisions; the part of the rural district of Macclesfield which consists of the civil parishes of Adlington, Butley, Capesthorne, Chelford, Chorley, Fallibroome, Great Warford, Lower Withington, Marton, Mottram St. Andrew, Nether Alderley, Newton, Old Withington, Over Alderley, Poynton-with-Worth, Prestbury, Siddington, Snelson, Tytherington, Upton, and Woodford; the part of the rural district of Northwich which consists of the civil parishes of Allostock, Byley, Lach Dennis, Lostock Gralam, Nether Peover, Rudheath, Sproston, and Whatcroft, the part of the rural district of Runcorn which consists of the civil parishes of Acton Grange, Antrobus, Appleton, Crowley, Daresbury, Grappenhall, Hatton, Higher Whitley, Keckwick, Latchford Without, Lower Whitley, Moore, Newton by Daresbury, Preston on the Hill, Seven Oaks, Stockton Heath, Stretton, Thelwall, Walton Inferior, and

(1) England, excluding Monmouthshire—*continued.*

Walton Superior; and the urban districts of Alderley Edge, Bollington, Hazel Grove and Bramhall, Knutsford, and Wilmslow.

Macclesfield.

The rural district of Disley, the part of the rural district of Congleton which consists of the civil parishes of Hulme Walfield and Newbold Astbury, the part of the rural district of Macclesfield which is not included in the Knutsford Division, the municipal boroughs of Congleton and Macclesfield, and the urban districts of Bredbury and Romiley, Buglawton, Compstall, Marple, and Yeardsley-cum-Whaley.

Northwich.

The part of the rural district of Congleton which consists of the civil parishes of Bradwall, Elton, Moston, and Tetton, the part of the rural district of Northwich which is not included in the Eddisbury and Knutsford Divisions, the part of the rural district of Runcorn which is not included in the Eddisbury and Knutsford Divisions, and the urban districts of Middlewich, Northwich, Runcorn, Sandbach, and Winsford.

Stalybridge and Hyde.

The rural district of Tintwistle, the municipal boroughs of Dukinfield, Hyde, and Stalybridge, and the urban districts of Hollingworth and Mottram in Longendale.

Wirral.

The rural district of Wirral, and the urban districts of Bromborough, Ellesmere Port and Whitby Higher Bebington, Hoylake and West Kirby, Lower Bebington, and Neston and Parkgate.

(1) England, excluding Monmouthshire—*continued.*

Name of Parliamentary County.

CORNWALL.

Contents of Parliamentary County.

The administrative county of Cornwall and the Isles of Scilly.

Total number of Members for Parliamentary County.

Five.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Bodmin.	The rural districts of Liskeard and St. Germans, the part of the rural district of Bodmin which is not included in the Northern Division, the part of the rural district of St. Austell which consists of the civil parishes of St. Sampson and Tywardreath, the municipal boroughs of Bodmin, Fowey, Liskeard, Lostwithiel, and Saltash, and the urban districts of Callington, Looe, and Torpoint.
Camborne.	The rural district of Redruth, the part of the rural district of East Kerrier which consists of the civil parishes of Constantine, Mabe, and Perranarworthal, the part of the rural district of Helston which consists of the civil parishes of Crowan and Wendron, the part of the rural district of Truro which consists of the civil parishes of Kea, Kenwyn Rural, Perranzabuloe, St. Agnes, St. Allen, and Tregavethan, the municipal borough of Helston, and the urban districts of Camborne, Hayle, Phillack, and Redruth.
Northern.	The rural districts of Calstock, Camelford, Launceston, St. Columb Major, and Stratton, the part of the rural district of Holsworthy which is within the administrative county of Cornwall, the part of

(1) England, excluding Monmouthshire—*continued*.

the rural district of Bodmin which consists of the civil parishes of Egloshayle, St. Endellion, St. Kew, St. Minver Highlands, and St. Minver Lowlands, the municipal borough of Launceston, and the urban districts of Newquay, Padstow, Stratton and Bude, and Wadebridge.

Penryn and Falmouth.

The part of the rural district of St. Austell which is not included in the Bodmin Division, the part of each of the rural districts of East Kerrier and Truro which is not included in the Camborne Division, the municipal boroughs of Falmouth, Penryn, and Truro, and the urban district of St. Austell.

St. Ives.

The rural district of West Penwith, the part of the rural district of Helston which is not included in the Camborne Division, the municipal boroughs of Penzance and St. Ives, the urban districts of Ludgvan, Madron, Paul, and St. Just, and the Scilly Isles.

Name of Parliamentary County.

CUMBERLAND.

Contents of Parliamentary County.

The administrative county of Cumberland.

Total number of Members for Parliamentary County.

Four.

Names of Divisions of Parliamentary County. — *Contents or Boundaries of Divisions.*

Northern.

The rural districts of Brampton, Carlisle, and Longtown, the part of the rural district of Wigton which is not included in the Workington Division, and the urban districts of Holme Cultram and Wigton.

(1) England, excluding Monmouthshire—*continued*.

Penrith and Cockermouth.

The rural districts of Alston with Garrigill and Penrith, the part of the rural district of Cockermouth which is not included in the Workington Division, and the urban districts of Cockermouth, Keswick, and Penrith.

Whitehaven.

The rural district of Bootle, the part of the rural district of Whitehaven which is not included in the Workington Division, the municipal borough of Whitehaven, and the urban districts of Cleator Moor, Egremont, and Millom.

Workington.

The part of the rural district of Cockermouth which consists of the civil parishes of Broughton, Broughton Moor, Camerton, Crosscanonby, Dearham, Flimby, Great Clifton, Little Clifton, Oughterside and Allerby, Ribton, Seaton, Stainburn, Winscales, and Workington Rural, the part of the rural district of Whitehaven which consists of the civil parishes of Distington, Moresby, and Weddicar, the part of the rural district of Wigton which consists of the civil parishes of Allonby, Hayton and Mealo, and West Newton, the municipal borough of Workington, and the urban districts of Arlecdon and Frizington, Aspatria, Harrington, and Maryport.

Name of Parliamentary County.

DERBY.

Contents of Parliamentary County.

The administrative county of Derby.

Total number of Members for Parliamentary County.

Eight.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
BELPER.	The rural district of Belper, the part of the rural district of Repton which is not included in the Southern and Western Divisions, and the urban districts of Alfreton, Belper, and Heage.
CHESTERFIELD.	The part of the rural district of Chesterfield which consists of the civil parishes of Barlow, Brimington, Calow, Hasland, Sutton-cum-Duckmanton, Tapton, Temple Normanton, and Wingerworth, the municipal borough of Chesterfield, and the urban districts of Brampton and Walton and Whittington and Newbold.
CLAY CROSS.	The rural district of Blackwell, the part of the rural district of Chesterfield which is not included in the North Eastern and Chesterfield Divisions, and the urban district of Clay Cross.
HIGH PEAK.	The rural district of Chapel-en-le-Frith (except the two detached parts of the civil parish of Derwent which are bounded on the west by the civil parish of Hathersage), the rural districts of Glossop Dale and Hayfield, the portion of the rural district of Bakewell which consists of the two detached parts of the civil parish of Outseats which are bounded on three sides by the civil parish of Derwent, the municipal boroughs of Buxton and Glossop, and the urban district of New Mills.
ILKESTON.	The rural district which consists of the civil parishes of Codnor Park and Shipley, the municipal borough of Ilkeston, and the urban districts of Heanor and Ripley.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued.*

NORTH EASTERN.

The rural districts of Clowne and Norton, the part of the rural district of Chesterfield which consists of the civil parishes of Beighton, Coal Aston, Dronfield Woodhouse, Eckington, Holmesfield, Killamarsh, Staveley, and Unstone, and the urban districts of Bolsover and Dronfield.

SOUTHERN.

The rural districts of Hartshorn and Seals and Shardlow, the part of the rural district of Repton which consists of the civil parishes of Caldwell, Castle Gresley, Catton, Coton in the Elms, Drakelow, Linton, Lullington, Rosliston, and Walton-upon-Trent, and the urban districts of Alvaston and Boulton, Long Eaton, and Swadlincote District.

WESTERN.

The rural districts of Ashbourne and Sudbury, the rural district of Bakewell (except the two detached parts of the civil parish of Outseats which are bounded on three sides by the civil parish of Derwent), the part of the rural district of Repton which consists of the civil parishes of Barton Blount, Church Broughton, Foston and Scropton, Hatton, Hilton, Hoon, Marston-on-Dove, Osleston and Thurvaston, and Sutton-on-the-Hill, the part of the rural district of Chapel-en-le-Frith which consists of the two detached parts of the civil parish of Derwent bounded on the west by the civil parish of Hathersage, and the urban districts of Ashbourne, Bakewell, Baslow and Bubnell, Bonsall, Matlock, Matlock Bath and Scarthin Nick, North Darley, South Darley, and Wirksworth.

(1) England, excluding Monmouthshire—*continued*.

Name of Parliamentary County.

DEVON.

Contents of Parliamentary County.

The administrative county of Devon.

Total number of Members for Parliamentary County.

Seven.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Barnstaple.	The rural districts of Barnstaple and Bideford (including Lundy Island), the municipal boroughs of Barnstaple and Bideford, and the urban districts of Ilfracombe, Lynton, and Northam.
Honiton.	The rural districts of Axminster and Honiton, the part of the rural district of St. Thomas which consists of the civil parishes of Aylesbeare, Bicton, Clyst Honiton, Clyst St. George, Clyst St. Mary, Colaton Raleigh, East Budleigh, Farringdon, Lympstone, Newton Poppleford, Otterton, Rockbeare, Sowton, and Woodbury, the municipal borough of Honiton, and the urban districts of Axminster, Budleigh Salterton, Exmouth, Ottery St. Mary, Seaton, and Sidmouth.
South Molton.	The rural districts of Crediton, Okehampton, South Molton, and Torrington, the municipal boroughs of Great Torrington, Okehampton and South Molton, and the urban district of Crediton.
Tavistock.	The rural districts of Broadwoodwidger, Plympton St. Mary, and Tavistock, the part of the rural district of Holsworthy which is within the administrative county of Devon, and the urban districts of Holsworthy, Ivybridge, and Tavistock.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued.*

TIVERTON.

The rural districts of Culmstock and Tiverton, the part of the rural district of Newton Abbot which consists of the civil parish of West Dawlish, the part of the rural district of St. Thomas which is not included in the Honiton Division, the municipal borough of Tiverton, and the urban districts of Bampton and Dawlish.

TORQUAY.

The part of the rural district of Newton Abbot which consists of the civil parishes of Cockington and Stokeinteignhead, the part of the rural district of Totnes which consists of the civil parishes of Churston Ferrers, Kingswear, Marldon, and Stoke Gabriel, the municipal boroughs of Dartmouth and Torquay, and the urban districts of Brixham and Paignton.

TOTNES.

The rural district of Kingsbridge, the part of the rural district of Newton Abbott which is not included in the Tiverton and Torquay Divisions, the part of the rural district of Totnes which is not included in the Torquay Division, the municipal borough of Totnes, and the urban districts of Ashburton, Buckfastleigh, Kingsbridge, Newton Abbot, Salcombe, and Teignmouth.

Name of Parliamentary County.

DORSET.

Contents of Parliamentary County.

The administrative county of Dorset.

Total number of Members for Parliamentary County.

Four.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
EASTERN.	The rural district of Poole, the part of the rural district of Wimborne and Cranborne which consists of the civil parishes of Almer, Chalbury, Colehill, Corfe Mullen, Hampreston, Hinton Martell, Hinton Parva, Holt, More Critchel, Pamphill, Shapwick, Sturminster Marshall, West Parley, and Witchampton, the municipal borough of Poole, and the urban district of Wimborne Minster.
NORTHERN.	The rural districts of Blandford, Shaftesbury, Sherborne, and Sturminster, the part of the rural district of Wimborne and Cranborne which is not included in the Eastern Division, the municipal boroughs of Blandford Forum and Shaftesbury, and the urban district of Sherborne.
SOUTHERN.	The rural district of Wareham and Purbeck, the part of the rural district of Weymouth which is not included in the Western Division, the municipal boroughs of Wareham and Weymouth and Melcombe Regis, and the urban districts of Portland and Swanage.
WESTERN.	The rural districts of Beaminster, Bridport, Cerne and Dorchester, the part of the rural district of Weymouth which consists of the civil parishes of Abbotsbury, Langton Herring and Portisham, and the municipal boroughs of Bridport, Dorchester, and Lyme Regis.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued.*

Name of Parliamentary County.

DURHAM.

Contents of Parliamentary County.

The administrative county of Durham exclusive of the parts thereof comprised in parliamentary boroughs.

Total number of Members for Parliamentary County.

Eleven.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
BARNARD CASTLE.	The rural districts of Barnard Castle and Weardale, the part of the rural district of Auckland which consists of the civil parishes of Hamsterley and South Bedburn, the part of the rural district of Lanchester which is not included in the Consett and Spennymoor Divisions, and the urban districts of Barnard Castle and Stanhope.
BISHOP AUCKLAND.	The part of the rural district of Auckland which is not included in the Barnard Castle and Spennymoor Divisions, and the urban districts of Bishop Auckland and Shildon.
BLAYDON.	The urban districts of Blaydon, Ryton, Tanfield, and Whickham.
CHESTER-LE-STREET.	The rural district of Chester-le-Street, and the urban district of Chester-le-Street.
CONSETT.	The part of the rural district of Lanchester which consists of the civil parishes of Craghead, Ebchester, Healeyfield, Knitsley, and Medomsley, and the urban districts of Annfield Plain, Benfieldside, Consett, Leadgate, and Stanley.

(1) England, excluding Monmouthshire—*continued.*

Durham.

The rural district of Durham (except the civil parish of Brancepeth), the part of the rural district of Houghton-le-Spring which consists of the civil parishes of East Rainton, Great Eppleton, Little Eppleton, Moor House, Moorsley, and West Rainton, the municipal borough of Durham, and the urban district of Hetton.

Houghton-le-Spring.

The rural districts of South Shields and Sunderland, the part of the rural district of Houghton-le-Spring which is not included in the Durham Division, and the urban district of Houghton-le-Spring.

Jarrow.

The municipal borough of Jarrow, and the urban districts of Felling and Hebburn.

Seaham.

The rural district of Easington, and the urban district of Seaham Harbour.

Sedgefield.

The rural districts of Darlington, Hartlepool, Sedgefield, and Stockton.

Spennymoor.

The part of the rural district of Auckland which consists of the civil parishes of Helmington Row, Hunwick and Helmington, and North Bedburn, the part of the rural district of Durham which consists of the civil parish of Brancepeth, the part of the rural district of Lanchester which consists of the civil parish of Hedleyhope, and the urban districts of Brandon and Byshottles, Crook, Spennymoor, Tow Law, and Willington.

(1) England, excluding Monmouthshire—*continued.*

Name of Parliamentary County.

ESSEX.

Contents of Parliamentary County.

The administrative county of Essex exclusive of the parts thereof comprised in parliamentary boroughs.

Total number of Members for Parliamentary County.

Eight.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Chelmsford.	The rural districts of Chelmsford and Ongar, the part of the rural district of Billericay which consists of the civil parishes of Hutton, Ingrave, Mountnessing, Shenfield, and South Weald, the municipal borough of Chelmsford, and the urban district of Brentwood.
Colchester.	The rural district of Lexden and Winstree (except the detached part of the civil parish of Inworth which is wholly surrounded by the civil parishes of Great Braxted and Kelvedon), and the municipal borough of Colchester.
Epping.	The rural district of Epping, and the urban districts of Buckhurst Hill, Chingford, Epping, Loughton, Waltham Holy Cross, Wanstead, and Woodford.
Harwich.	The rural district of Tendring, the municipal borough of Harwich, and the urban districts of Brightlingsea, Clacton, Frinton-on-Sea, Walton-on-the-Naze, and Wivenhoe.
Maldon.	The rural district of Braintree (with the detached part of the civil parish of Inworth which is wholly

(1) England, excluding Monmouthshire—*continued.*

surrounded by the civil parishes of Great Braxted and Kelvedon), the rural district of Maldon, the municipal borough of Maldon, and the urban districts of Braintree, Burnham-on-Crouch, and Witham.

Romford.

The rural district of Romford, and the urban districts of Barking Town and Romford.

Saffron Walden.

The rural districts of Belchamp, Bumpstead, Dunmow, Halstead, Saffron Walden, and Stansted, the municipal borough of Saffron Walden, and the urban district of Halstead.

South-Eastern.

The rural districts of Orsett and Rochford, the part of the rural district of Billericay which is not included in the Chelmsford Division, and the urban districts of Grays Thurrock, Shoeburyness, and Tilbury.

Name of Parliamentary County.

GLOUCESTER.

Contents of Parliamentary County.

The administrative county of Gloucester exclusive of the parts thereof comprised in the parliamentary borough of Cheltenham.

Total number of Members for Parliamentary County.

Four.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Cirencester and Tewkesbury.	The rural districts of Campden, Cirencester, Marston Sicca, Northleach, and Pebworth, the part of each of the rural districts of Faringdon, Stow-on-

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

the-Wold, Tetbury, Tewkesbury, and Winchcomb which is within the administrative county of Gloucester, the part of the rural district of Cheltenham which consists of the civil parishes of Prestbury, Swindon, and Uckington, the municipal borough of Tewkesbury, and the urban districts of Cirencester, Stow-on-the-Wold, and Tetbury.

FOREST OF DEAN.

The rural districts of East Dean and united parishes, Lydney, Newent, and West Dean, the part of the rural district of Gloucester which consists of the civil parishes of Ashleworth, Highnam Over and Linton, Lassington, and Maisemore, and the urban districts of Awre, Coleford, Newnham, and Westbury-on-Severn.

STROUD.

The rural districts of Dursley, Stroud, and Wheatenhurst, the part of the rural district of Cheltenham which is not included in the Cirencester and Tewkesbury Division, the part of the rural district of Gloucester which is not included in the Forest of Dean Division, and the urban districts of Nailsworth and Stroud.

THORNBURY.

The rural districts of Chipping Sodbury, Thornbury, and Warmley, and the urban district of Kingswood.

Name of Parliamentary County.

HANTS.

Contents of Parliamentary County.

The administrative county of Southampton, exclusive of the parts thereof comprised in the parliamentary borough of Southampton.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

Total number of Members for Parliamentary County.

Six.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
ALDERSHOT.	The rural district of Hartley Wintney, and the urban districts of Aldershot, Farnborough, and Fleet.
BASINGSTOKE.	The rural districts of Andover, Basingstoke, Kingsclere, Stockbridge, and Whitchurch, and the municipal boroughs of Andover and Basingstoke.
FAREHAM.	The rural districts of Fareham and Havant, and the urban districts of Fareham, Gosport and Alverstoke, Havant, and Warblington.
NEW FOREST AND CHRISTCHURCH.	The rural districts of Christchurch, Fordingbridge, Lymington, New Forest, Ringwood, and Romsey, and the municipal boroughs of Christchurch, Lymington, and Romsey.
PETERSFIELD.	The rural districts of Alresford, Alton, Catherington, Droxford, and Petersfield, and the urban districts of Alton and Petersfield.
WINCHESTER.	The rural districts of Hursley and Winchester, the rural district of South Stoneham (except the civil parish of Bitterne), the municipal borough of Winchester, and the urban district of Eastleigh and Bishopstoke.

Name of Parliamentary County.

HEREFORD.

Contents of Parliamentary County.

The administrative county of Hereford.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

Total number of Members for Parliamentary County.

Two.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
HEREFORD.	The rural districts of Dore, Ross, and Whitchurch, the part of each of the rural districts of Hereford and Ledbury which is not included in the Leominster Division, the municipal borough of Hereford, and the urban districts of Ledbury and Ross.
LEOMINSTER.	The rural districts of Bredwardine, Bromyard, Kington, Leominster, Weobley, and Wigmore, the part of the rural district of Hereford which consists of the civil parishes of Bartestree, Breinton, Burghill, Credenhill, Dinmore, Holmer, Kenchester, Lugwardine, Marden, Moreton-on-Lugg, Pipe and Lyde, Preston Wynne, Stretton Sugwas, Sutton, Wellington, Westhide, Weston Beggard, and Withington, the part of the rural district of Ledbury which consists of the civil parishes of Ashperton, Bosbury, Canon Frome, Castle Frome, Coddington, Colwall, Egleton, Mathon Rural, Munsley, Pixley, Stretton Grandison, Tarrington, and Yarkhill, the municipal borough of Leominster, and the urban districts of Bromyard and Kington.

Name of Parliamentary County.

HERTFORD.

Contents of Parliamentary County.

The administrative county of Hertford.

Total number of Members for Parliamentary County.

Five.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
HEMEL HEMPSTED.	The rural districts of Berkhampstead and Hemel Hempstead, the part of the rural district of St. Albans which consists of the civil parishes of Harpenden Rural, Redbourn, and Wheathampstead, the part of the rural district of Watford which consists of the civil parishes of Abbots Langley and Sarratt, the municipal borough of Hemel Hempsted, and the urban districts of Great Berkhampstead, Harpenden, and Tring.
HERTFORD.	The rural districts of Hadham and Ware, the part of the rural district of Hertford which is not included in the Hitchin Division, the municipal borough of Hertford, and the urban districts of Bishops Stortford, Cheshunt, Hoddesdon, Sawbridgeworth, and Ware.
HITCHIN.	The rural districts of Ashwell, Buntingford, Hitchin, and Welwyn, the part of the rural district of Hertford which consists of the civil parishes of Aston, Bennington, Datchworth, Sacombe, Walkern, and Watton at Stone, and the urban districts of Baldock, Hitchin, Royston, and Stevenage.
ST. ALBANS.	The rural districts of Barnet and Hatfield, the part of the rural district of St. Albans which is not included in the Hemel Hempsted Division, the municipal borough of St. Albans, and the urban districts of Barnet and East Barnet Valley.
WATFORD.	The part of the rural district of Watford which is not included in the Hemel Hempsted Division, and the urban districts of Bushey, Chorleywood, Rickmansworth, and Watford.

(1) England, excluding Monmouthshire—*continued.*

Name of Parliamentary County.

HOLLAND WITH BOSTON.

Contents of Parliamentary County.

The administrative county of the Parts of Holland.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

HUNTINGDON.

Contents of Parliamentary County.

The administrative county of Huntingdon.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

ISLE OF ELY.

Contents of Parliamentary County.

The administrative county of the Isle of Ely.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued.*

Name of Parliamentary County.

ISLE OF WIGHT.

Contents of Parliamentary County.

The administrative county of the Isle of Wight.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

KENT.

Contents of Parliamentary County.

The administrative county of Kent (exclusive of the parts thereof comprised in parliamentary boroughs) and the county borough of Canterbury.

Total number of Members for Parliamentary County.

Eleven.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
ASHFORD.	The rural districts of Cranbrook, East Ashford, Romney Marsh, Tenterden, and West Ashford, the municipal boroughs of Lydd, New Romney, and Tenterden, and the urban district of Ashford.
CANTERBURY.	The rural districts of Bridge and Elham, the rural district of Blean (with the detached parts of the civil parishes of Dunkirk and Hernhill which are wholly surrounded by that rural district), the county borough of Canterbury, and the urban districts of Herne Bay and Whitstable.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

CHISLEHURST.

The rural district of Bromley, the part of the rural district of Dartford which is not included in the Dartford Division, and the urban districts of Chislehurst and Foots Cray.

DARTFORD.

The part of the rural district of Dartford which consists of the civil parishes of Crayford, Stone, and Swanscombe, and the urban districts of Bexley, Dartford, and Erith.

DOVER.

The rural districts of Dover and Eastry, the municipal boroughs of Deal and Dover, and the urban district of Walmer.

FAVERSHAM.

The rural districts of Milton and Sheppey, the rural district of Faversham (except the detached parts of the civil parishes of Dunkirk and Hernhill which are wholly surrounded by the rural district of Blean), the municipal boroughs of Faversham and Queenborough, and the urban districts of Milton Regis, Sheerness, and Sittingbourne.

GRAVESEND.

The rural districts of Hoo and Strood, the municipal borough of Gravesend, and the urban district of Northfleet.

ISLE OF THANET.

The rural district of the Isle of Thanet, the municipal boroughs of Margate, Ramsgate, and Sandwich, and the urban district of Broadstairs and St. Peters.

MAIDSTONE.

The rural districts of Hollingbourne and Maidstone, and the municipal borough of Maidstone.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

SEVENOAKS.

The rural districts of Malling and Sevenoaks, and the urban districts of Sevenoaks and Wrotham.

TONBRIDGE.

The rural district of Tonbridge, the municipal borough of Tunbridge Wells, and the urban districts of Southborough and Tonbridge.

Name of Parliamentary County.

PARTS OF KESTEVEN, AND RUTLAND.

Contents of Parliamentary County.

The administrative county of the Parts of Kesteven (exclusive of the part thereof comprised in the parliamentary borough of Lincoln), and the administrative county of Rutland.

Total number of Members for Parliamentary County.

Two.

Names of Divisions of Parliamentary County. — *Contents or Boundaries of Divisions.*

GRANTHAM.

The rural districts of Branston, Claypole, and Sleaford, the part of the rural district of Grantham which consists of the civil parishes of Ancaster, Barrowby, Belton, Carlton Scroop, Great Gonerby, Harrowby Without, Heydour, Honington, Hough-on-the-Hill, Londonthorpe, Manthorpe, Normanton, Welby, and the detached part of the civil parish of Spittlegate Without which is wholly surrounded by the municipal borough of Grantham, the municipal borough of Grantham, and the urban districts of Ruskington and Sleaford.

RUTLAND AND STAMFORD.

The whole of the administrative county of Rutland, the rural districts of Bourne and Uffington, the part of the rural district of Grantham which is not in-

(1) England, excluding Monmouthshire—*continued.*

cluded in the Grantham Division, the municipal borough of Stamford, and the urban district of Bourne.

Name of Parliamentary County.

LANCASTER.

Contents of Parliamentary County.

The administrative county of Lancaster exclusive of the parts thereof comprised in parliamentary boroughs.

Total number of Members for Parliamentary County.

Eighteen.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Chorley.	The rural district of Chorley, the part of the rural district of Wigan which consists of the civil parishes of Haigh, Parbold, Worthington, and Wrightington, the municipal borough of Chorley, and the urban districts of Adlington, Croston, Leyland, and Withnell.
Clitheroe.	The rural district of Burnley (except the detached part of the civil parish of Foulridge which is included in the parliamentary borough of Nelson and Colne), the rural district of Clitheroe, the municipal borough of Clitheroe, and the urban districts of Great Harwood and Padiham.
Darwen.	The rural district of Blackburn, the municipal borough of Darwen, and the urban district of Turton.
Farnworth.	The part of the rural district of Barton-upon Irwell which consists of the civil parish of Clifton,

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

the part of the rural district of Bury which consists of the civil parishes of Ainsworth and Outwood, and the urban districts of Farnworth, Kearsley, Little Hulton, Little Lever, and Worsley.

FYLDE.

The rural district of Fylde (except the part of the civil parish of Carleton which is included in the parliamentary borough of Blackpool), the rural district of Preston, and the urban districts of Fleetwood, Kirkham, Longridge, Poulton-le-Fylde, Thornton, and Walton-le-Dale.

HEYWOOD AND RADCLIFFE.

The part of the rural district of Bury which is not included in the Farnworth Division, the municipal borough of Heywood, and the urban districts of Radcliffe, Ramsbottom, and Whitefield.

INCE.

The part of the rural district of Wigan which consists of the civil parish of Shevington, and the urban districts of Abram, Ashton-in-Makerfield, Billinge, Ince-in-Makerfield, Orrell, and Standish-with Langtree.

LANCASTER.

The rural district of Garstang, the part of the rural district of Lancaster which is not included in the Lonsdale Division, the municipal boroughs of Lancaster and Morecambe, and the urban districts of Heysham and Preesall.

LONSDALE.

The rural districts of Lunesdale and Ulverston, the detached part of the rural district of Lancaster which is situated north of the municipal boroughs of Lancaster and Morecambe, and the urban districts of Carnforth, Dalton-in-Furness, Grange, and Ulverston.

(1) England, excluding Monmouthshire—*continued.*

Middleton and Prestwich.

The municipal borough of Middleton, and the urban districts of Chadderton and Prestwich.

Mossley.

The rural district of Limehurst, the municipal borough of Mossley, and the urban districts of Audenshaw, Denton, Droylsden, Failsworth, and Lees.

Newton.

The rural district of Warrington, the rural district of Leigh (except the civil parish of Astley), and the urban districts of Golborne, Haydock, and Newton-in-Makerfield.

Ormskirk.

The rural districts of Sefton and West Lancashire, the part of the rural district of Wigan which consists of the civil parish of Dalton, and the urban districts of Formby, Lathom-with-Burscough, Ormskirk, Rainford, Skelmersdale, and Upholland.

Royton.

The urban districts of Crompton, Littleborough, Milnrow, Norden, Royton, Wardle, and Whitworth.

Stretford.

The rural district of Barton-upon-Irwell (except the civil parish of Clifton), the part of the rural district of Leigh which consists of the civil parish of Astley, and the urban districts of Irlam, Stretford, and Urmston.

Waterloo.

The urban districts of Great Crosby, Litherland, Little Crosby, and Waterloo-with-Seaforth.

Westhoughton.

The urban districts of Aspull, Blackrod, Hindley, Horwich, and Westhoughton.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

WIDNES.

The rural district of Whiston, the municipal borough of Widnes, and the urban districts of Huyton-with-Roby and Prescot.

Name of Parliamentary County.

LEICESTER.

Contents of Parliamentary County.

The administrative county of Leicester.

Total number of Members for Parliamentary County.

Four.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
BOSWORTH.	The rural districts of Hinckley and Market Bosworth, the part of the rural district of Ashby-de-la-Zouch which consists of the civil parish of Bardon, and the urban districts of Coalville and Hinckley.
HARBOROUGH.	The rural districts of Blaby, Hallaton, Lutterworth, and Market Harborough, and the urban districts of Market Harborough, Oadby, and Wigston Magna.
LOUGHBOROUGH.	The rural districts of Castle Donington and Loughborough, the part of the rural district of Ashby-de-la-Zouch which is not included in the Bosworth Division, the municipal borough of Loughborough, and the urban districts of Ashby-de-la-Zouch, Ashby Woulds, and Shepshed.
MELTON.	The rural districts of Barrow-upon-Soar, Belvoir, Billesdon, and Melton Mowbray, and the urban districts of Melton Mowbray, Quorndon, and Thurmaston.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

Name of Parliamentary County.

PARTS OF LINDSEY.

Contents of Parliamentary County.

The administrative county of the parts of Lindsey exclusive of the part thereof comprised in the parliamentary borough of Grimsby.

Total number of Members for Parliamentary County.

Four.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
BRIGG.	The rural district of Glanford Brigg, and the urban districts of Barton-upon-Humber, Brigg, Broughton, Brumby and Frodingham, Roxby-cum-Risby, Scunthorpe, and Winterton.
GAINSBOROUGH.	The rural districts of Gainsborough, Isle of Axholme, and Welton, and the urban districts of Crowle and Gainsborough.
HORNCASTLE.	The rural districts of Horncastle, Sibsey, and Spilsby, and the urban districts of Alford, Horncastle, Skegness, and Woodhall Spa.
LOUTH.	The rural districts of Caistor, Grimsby, and Louth, the municipal borough of Louth, and the urban districts of Mablethorpe and Market Rasen.

Name of Parliamentary County.

MIDDLESEX.

Contents of Parliamentary County.

The administrative county of Middlesex exclusive of the parts thereof comprised in parliamentary boroughs.

(1) England, excluding Monmouthshire—*continued*.

Total number of Members for Parliamentary County.

Ten.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Acton.	The urban district of Acton.
Brentford and Chiswick.	The urban districts of Brentford and Chiswick.
Enfield.	The rural district of South Mimms and the urban district of Enfield.
Finchley.	The urban districts of Finchley and Friern Barnet.
Harrow.	The urban districts of Greenford, Hanwell, Harrow-on-the-Hill, Wealdstone, and Wembley.
Hendon.	The rural district of Hendon, and the urban districts of Hendon and Kingsbury.
Spelthorne.	The rural district of Staines, and the urban districts of Feltham, Hampton, Hampton Wick, Staines, Sunbury-on-Thames, and Teddington.
Twickenham.	The urban districts of Heston and Isleworth and Twickenham.
Uxbridge.	The rural district of Uxbridge, and the urban districts of Hayes, Ruislip-Northwood, Southall-Norwood, Uxbridge, and Yiewsley.
Wood Green.	The urban districts of Southgate and Wood Green.

(1) England, excluding Monmouthshire—*continued.*

Name of Parliamentary County.

NORFOLK.

Contents of Parliamentary County.

The administrative county of Norfolk.

Total number of Members for Parliamentary County.

Five.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Eastern.	The rural districts of East and West Flegg, Loddon and Clavering, St. Faith's, Smallburgh, and Blofield (including the area, wholly surrounded by the county borough of Norwich, in which stand the shire hall, county police station and other county buildings), and the urban district of North Walsham.
King's Lynn.	The rural districts of Docking, Freebridge Lynn, King's Lynn, and Marshland (except the civil parishes of Outwell and Upwell), the part of the rural district of Downham which consists of the civil parishes of Wiggenhall St. Germans, Wiggenhall St. Mary the Virgin, Wiggenhall St. Mary Magdalen, and Wiggenhall St. Peter, the municipal borough of King's Lynn, and the urban districts of New Hunstanton and Walsoken.
Northern.	The rural districts of Aylsham, Erpingham, and Walsingham, and the urban districts of Cromer, Sheringham, and Wells.
Southern.	The rural districts of Depwade, Forehoe, Henstead, and Wayland, the part of the rural district of Thet-

(1) England, excluding Monmouthshire—*continued*.

ford which is not included in the South-Western Division, and the urban district of Diss.

South-Western.

The rural districts of Mitford and Launditch and Swaffham, the part of the rural district of Downham which is not included in the King's Lynn Division, the part of the rural district of Marshland which consists of the civil parishes of Outwell and Upwell, the part of the rural district of Thetford which consists of the civil parishes of Cranwich, Feltwell, Feltwell Anchor, Hockwold-cum-Wilton, Lynford, Methwold, Mundford, Northwold, Santon, Weeting with Bromehill, and West Tofts, the municipal borough of Thetford, and the urban districts of Downham Market, East Dereham, and Swaffham.

Name of Parliamentary County.

NORTHAMPTON, WITH THE SOKE OF PETERBOROUGH.

Contents of Parliamentary County.

The administrative counties of Northampton and the soke of Peterborough.

Total number of Members for Parliamentary County.

Four.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Daventry.	The rural districts of Brackley, Crick, Daventry, Hardingstone, Middleton Cheney, Potterspury, and Towcester, the part of the rural district of Northampton which is not included in the Kettering Division, and the municipal boroughs of Brackley and Daventry.

(1) England, excluding Monmouthshire—*continued.*

Kettering.

The rural districts of Brixworth, Kettering, and Oxendon, the part of the rural district of Northampton which consists of the civil parishes of Great Billing, Little Billing, and Weston Favell, and the urban districts of Desborough, Kettering, and Rothwell.

Peterborough.

The administrative county of the soke of Peterborough, the rural districts of Easton-on-the-Hill and Gretton, the part of the rural district of Oundle which is within the administrative county of Northampton, that part of the rural district of Thrapston which is within the administrative county of Northampton and is not included in the Wellingborough Division, and the urban district of Oundle.

Wellingborough.

The rural district of Wellingborough, the part of the rural district of Thrapston which consists of the civil parishes of Chelveston-cum-Caldecott, Hargrave, and Stanwick, the municipal borough of Higham Ferrers, and the urban districts of Finedon, Irthlingborough, Raunds, Rushden, and Wellingborough.

Name of Parliamentary County.

NORTHUMBERLAND.

Contents of Parliamentary County.

The administrative county of Northumberland exclusive of the parts thereof comprised in parliamentary boroughs.

Total number of Members for Parliamentary County.

Three.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
BERWICK-UPON-TWEED.	The rural districts of Alnwick, Belford, Glendale, Norham and Islandshires, and Rothbury, with the Farne Islands, the municipal borough of Berwick-upon-Tweed, and the urban districts of Alnwick, Amble, and Rothbury.
HEXHAM.	The rural districts of Bellingham, Haltwhistle, and Hexham, the part of the rural district of Castle Ward which consists of the civil parishes of Bitchfield, Black Heddon, Capheaton, Cheeseburn Grange, East Matfen, Fenwick, Harlow Hill, Hawkwell, Heugh, Ingoe, Kearsley, Kirkheaton, Nesbitt, Ouston, Ryal, Wallridge, and West Matfen, and the urban districts of Hexham and Prudhoe.
WANSBECK.	The part of the rural district of Castle Ward which is not included in the Hexham Division, the rural district of Morpeth (except the civil parishes of Hepscott, Morpeth Castle, Newminster, and Tranwell), the urban districts of Cramlington, Earsdon, Newbiggin-by-the-Sea, Newburn, Seaton Delaval, Seghill, and Whitley and Monkseaton, and the part of the administrative county of Northumberland consisting of the Moot Hall and precincts which is wholly surrounded by the county borough of Newcastle-upon-Tyne.

Name of Parliamentary County.

NOTTINGHAM.

Contents of Parliamentary County.

The administrative county of Nottingham.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued.*

Total number of Members for Parliamentary County.

Five.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
BASSETLAW.	The rural districts of Blyth and Cuckney, East Retford, and Misterton, the part of the rural district of Skegby which consists of the civil parish of Sookholme, the municipal borough of East Retford, and the urban districts of Warsop and Worksop.
BROXTOWE.	The part of the rural district of Basford which is not included in the Rushcliffe Division, and the urban districts of Arnold, Eastwood, Hucknall, and Kirkby-in-Ashfield.
MANSFIELD.	The part of the rural district of Skegby which is not included in the Bassetlaw Division, the municipal borough of Mansfield, and the urban districts of Huthwaite, Mansfield Woodhouse, and Sutton-in-Ashfield.
NEWARK.	The rural districts of Bingham, Newark, and Southwell, and the municipal borough of Newark.
RUSHCLIFFE.	The rural districts of Leake and Stapleford, the rural district consisting of the civil parishes of Kingston-upon-Soar and Ratcliffe-upon-Soar, the part of the rural district of Basford which consists of the civil parishes of Awsworth, Barton-in-Fabis, Bilborough, Bradmore, Bunny, Burton Joyce, Clifton-with-Glapton, Colwick, Cossall, Gamston, Gedling, Gotham, Nuthall, Ruddington, South Wilford, Stoke Bardolph, Strelley, Thrumpton, Trowell, and Wollaton, and the urban districts of Beeston, Carlton, and West Bridgford.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

Name of Parliamentary County.

OXFORD.

Contents of Parliamentary County.

The administrative county of Oxford.

Total number of Members for Parliamentary County.

Two.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
BANBURY.	The rural districts of Banbury, Chipping Norton, Witney, and Woodstock, the municipal boroughs of Banbury, Chipping Norton, and Woodstock, and the urban district of Witney.
HENLEY.	The rural districts of Bicester, Crowmarsh, Culham, Goring, Headington, Henley, and Thame, the municipal borough of Henley-on-Thames, and the urban districts of Bicester, Thame, and Wheatley.

Name of Parliamentary County.

SALOP.

Contents of Parliamentary County.

The administrative county of Salop.

Total number of Members for Parliamentary County.

Four.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
LUDLOW.	The rural districts of Bridgnorth, Burford, Church Stretton, Cleobury Mortimer, Clun, Ludlow, and Teme, the municipal boroughs of Bishop's Castle, Bridgnorth, and Ludlow, and the urban district of Church Stretton.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

OSWESTRY.

The rural districts of Drayton, Ellesmere, Oswestry, Wem, and Whitchurch, the municipal borough of Oswestry, and the urban districts of Ellesmere, Market Drayton, Wem, and Whitchurch.

SHREWSBURY.

The rural districts of Atcham and Chirbury, and the municipal borough of Shrewsbury.

THE WREKIN.

The rural districts of Newport, Shifnal, and Wellington, the municipal borough of Wenlock, and the urban districts of Dawley, Newport, Oakengates, and Wellington.

Name of Parliamentary County.

SOMERSET.

Contents of Parliamentary County.

The administrative county of Somerset.

Total number of Members for Parliamentary County.

Six.

Names of Divisions of Parliamentary County. — *Contents or Boundaries of Divisions.*

BRIDGWATER.

The rural districts of Bridgwater and Williton, the municipal borough of Bridgwater, and the urban districts of Burnham-on-Sea, Highbridge, Minehead, and Watchet.

FROME.

The rural districts of Bath, Clutton, and Keynsham, the part of the rural district of Frome which is not included in the Wells Division, and the urban districts of Frome, Midsomer Norton, and Radstock.

(1) England, excluding Monmouthshire—*continued*.

Taunton.

The rural districts of Dulverton, Taunton, and Wellington, the municipal borough of Taunton, and the urban districts of Wellington and Wiveliscombe.

Wells.

The rural districts of Shepton Mallet, Wells, and Wincanton, the part of the rural district of Frome which consists of the civil parishes of Cloford, Marston Bigot, Nunney, Wanstrow, Whatley, and Witham Friary, the municipal boroughs of Glastonbury and Wells, and the urban districts of Shepton Mallet and Street.

Weston-super-Mare.

The rural districts of Axbridge (with Steep Holme Island) and Long Ashton, and the urban districts of Clevedon, Portishead, and Weston-super-Mare.

Yeovil.

The rural districts of Chard, Langport, and Yeovil, the municipal boroughs of Chard and Yeovil, and the urban districts of Crewkerne and Ilminster.

Name of Parliamentary County.

STAFFORD.

Contents of Parliamentary County.

The administrative county of Stafford (exclusive of the parts thereof comprised in parliamentary boroughs) and the county borough of Burton-upon-Trent.

Total number of Members for Parliamentary County.

Seven.

Names of Divisions of Parliamentary County. — *Contents or Boundaries of Divisions.*

Burton.

The rural districts of Tutbury and Uttoxeter, the part of the rural district of Stafford which consists

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued.*

of the detached part of the civil parish of Colwich which is surrounded by the civil parishes of Blithfield and Colton, the county borough of Burton-upon-Trent, and the urban district of Uttoxeter.

CANNOCK.

The rural district of Seisdon, the part of the rural district of Cannock which consists of the civil parishes of Bushbury, Cheslyn Hay, Essington, Great Wyrley, and Hilton, the part of the rural district of Walsall which consists of the civil parish of Bentley, and the urban districts of Brownhills, Cannock, and Tettenhall.

KINGSWINFORD.

The rural district of Kingswinford, and the urban districts of Amblecote, Brierley Hill, Quarry Bank, and Rowley Regis.

LEEK.

The rural districts of Leek and Stoke-upon-Trent, and the urban districts of Biddulph, Kidsgrove, Leek, and Smallthorne.

LICHFIELD.

The rural district of Lichfield, the part of the rural district of Tamworth which is within the administrative county of Stafford, the part of the rural district of Walsall which is not included in the Cannock Division, the municipal boroughs of Lichfield and Tamworth, and the urban districts of Perry Bar and Rugeley.

STAFFORD.

The rural district of Gnosall, the rural district consisting of the civil parishes of Blymhill and Weston-under-Lizard, the part of the rural district of Cannock which is not included in the Cannock Division, the rural district of Stafford (except the aforesaid detached part of the civil parish of Colwich), and the municipal borough of Stafford.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

STONE.

The rural districts of Blore Heath, Cheadle, Mayfield, Newcastle-under-Lyme, and Stone, and the urban district of Stone.

Name of Parliamentary County.

EAST SUFFOLK.

Contents of Parliamentary County.

The administrative county of East Suffolk.

Total number of Members for Parliamentary County.

Three.

Names of Divisions of Parliamentary County. — *Contents or Boundaries of Divisions.*

EYE.

The rural districts of East Stow, Hartismere, and Hoxne, the part of the rural district of Blything which is not included in the Lowestoft Division, the part of the rural district of Plomesgate which is not included in the Woodbridge Division, the municipal borough of Eye, and the urban districts of Halesworth, Leiston-cum-Sizewell, Saxmundham, and Stowmarket.

LOWESTOFT.

The rural districts of Mutford and Lothingland and Wangford, the part of the rural district of Blything which consists of the civil parishes of Benacre, Covehithe, Easton Bavents, Frostenden, Henstead, Reydon, South Cove, and Wrentham, the municipal boroughs of Beccles, Lowestoft, and Southwold, and the urban districts of Bungay and Oulton Broad.

WOODBRIDGE.

The rural districts of Bosmere and Claydon, Samford, and Woodbridge, the part of the rural district of Plomesgate which consists of the civil parishes

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued.*

of Blaxhall, Butley, Campsey Ash, Chillesford, Eyke, Gedgrave, Havergate Island, Iken, Orford, Rendlesham, Sudbourne, Tunstall, Wantisden, and Wickham Market, the municipal borough of Aldeburgh, and the urban districts of Felixstowe and Woodbridge.

Name of Parliamentary County.

WEST SUFFOLK.

Contents of Parliamentary County.

The administrative county of West Suffolk.

Total number of Members for Parliamentary County.

Two.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
BURY ST. EDMUNDS.	The rural districts of Brandon, Mildenhall, and Thedwastre, the parts of the rural districts of Moulton and Thingoe which are not included in the Sudbury Division, the municipal borough of Bury St. Edmunds, and the urban district of Newmarket.
SUDBURY.	The rural districts of Clare, Cosford, and Melford, the part of the rural district of Moulton which consists of the civil parishes of Lidgate and Ousden, the part of the rural district of Thingoe which consists of the civil parishes of Bradfield Combust, Bradfield St. Claire, Bradfield St. George, Brockley, Chedburgh, Chevington, Depden, Great Welnetham, Hargrave, Hawstead, Little Welnetham, Rede, Stanningfield, and Whepstead, the municipal borough of Sudbury, and the urban districts of Glemsford, Hadleigh, and Haverhill.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

Name of Parliamentary County.

SURREY.

Contents of Parliamentary County.

The administrative county of Surrey exclusive of the parts thereof comprised in parliamentary boroughs.

Total number of Members for Parliamentary County.

Seven.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
CHERTSEY.	The rural district of Chertsey, and the urban districts of Chertsey, East and West Molesey, Egham, Esher, and the Dittons, Walton-upon-Thames, and Weybridge.
EASTERN.	The rural district of Godstone and the urban districts of Caterham and Coulsdon and Purley.
EPSOM.	The rural district of Epsom, and the urban districts of Epsom, Leatherhead, and Sutton.
FARNHAM.	The rural district of Farnham, the part of the rural district of Guildford which consists of the civil parish of Pirbright, and the urban districts of Farnham, Frimley, Windlesham, and Woking.
GUILDFORD.	The rural district of Hambledon, the rural district of Guildford (except the civil parish of Pirbright), the municipal boroughs of Guildford and Godalming, and the urban district of Haslemere.
MITCHAM.	The urban districts of Beddington and Wallington. Carshalton, and Mitcham.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued.*

REIGATE.

The rural districts of Dorking and Reigate, the municipal borough of Reigate, and the urban district of Dorking.

Name of Parliamentary County.

EAST SUSSEX.

Contents of Parliamentary County.

The administrative county of East Sussex (exclusive of the part thereof comprised in the parliamentary borough of Brighton) and the county borough of Eastbourne.

Total number of Members for Parliamentary County.

Four.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
EASTBOURNE.	The rural district of Eastbourne, the part of the rural district of Hailsham which consists of the civil parishes of Arlington, Chalvington, Chiddingly, Hailsham, Hellingly, Laughton, and Ripe, and the county borough of Eastbourne.
EAST GRINSTEAD.	The rural districts of Cuckfield, East Grinstead, and Uckfield, and the urban districts of Burgess Hill, Cuckfield, East Grinstead, Hayward's Heath, and Uckfield.
LEWES.	The rural districts of Chailey, Newhaven, and Steyning East, the municipal borough of Lewes, and the urban districts of Newhaven, Portslade-by-Sea, and Seaford.
RYE.	The rural districts of Battle, Hastings, Rye, and Ticehurst, the part of the rural district of Hailsham

(1) England, excluding Monmouthshire—*continued.*

which is not included in the Eastbourne Division, the municipal boroughs of Bexhill and Rye, and the urban district of Battle.

Name of Parliamentary County.

WEST SUSSEX.

Contents of Parliamentary County.

The administrative county of West Sussex.

Total number of Members for Parliamentary County.

Two.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Chichester.	The rural districts of East Preston, Midhurst, Petworth, Westbourne, and Westhampnett, the municipal boroughs of Arundel and Chichester, and the urban districts of Bognor and Littlehampton.
Horsham and Worthing.	The rural districts of Horsham, Steyning West, and Thakeham, the municipal borough of Worthing, and the urban districts of Horsham, Shoreham-by-Sea, and Southwick.

Name of Parliamentary County.

WARWICK.

Contents of Parliamentary County.

The administrative county of Warwick.

Total number of Members for Parliamentary County.

Four.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Nuneaton.	The rural districts of Atherstone, Coventry, Foleshill, and Nuneaton, the municipal borough of Nuneaton, and the urban district of Bulkington.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

RUGBY.

The rural districts of Farnborough, Monks Kirby, Rugby, and Southam, the part of the rural district of Brailes which is not included in the Warwick and Leamington Division, the part of the rural district of Stratford-on-Avon which consists of the civil parishes of Charlcote, Combrook, Compton Verney, Eatington, Kineton, Loxley, Moreton Morrell, Newbold Pacey, Wellesbourne Hastings, and Wellesbourne Mountford, and the urban district of Rugby.

TAMWORTH.

The rural districts of Meriden and Solihull, the part of the rural district of Tamworth which is within the administrative county of Warwick, and the municipal borough of Sutton Coldfield.

WARWICK AND LEAMINGTON.

The rural districts of Alcester and Warwick, the part of the rural district of Brailes which consists of the civil parishes of Ilmington and Stretton-on-Fosse, the part of the rural district of Stratford-on-Avon which is not included in the Rugby Division, the municipal boroughs of Royal Leamington Spa, Stratford-on-Avon, and Warwick, and the urban district of Kenilworth.

Name of Parliamentary County.

WESTMORLAND.

Contents of Parliamentary County.

The administrative county of Westmorland.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

(1) England, excluding Monmouthshire—*continued.*

Name of Parliamentary County.

WILTS.

Contents of Parliamentary County.

The administrative county of Wilts.

Total number of Members for Parliamentary County.

Five.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Chippenham.	The rural districts of Calne, Chippenham, and Malmesbury, the rural district of Cricklade and Wootton Bassett (except the detached part of the civil parish of Lydiard Tregoze which is wholly surrounded by the civil parishes of Broad Hinton and Wroughton), the part of the rural district of Tetbury which is within the administrative county of Wilts, and the municipal boroughs of Calne, Chippenham, and Malmesbury.
Devizes.	The rural districts of Devizes, Marlborough, Pewsey, and Ramsbury, the part of the rural district of Highworth which consists of the civil parishes of Bishopstone, Chisledon, Liddington, Little Hinton, Wanborough, and Wroughton, the aforesaid detached part of the civil parish of Lydiard Tregoze, and the municipal boroughs of Devizes and Marlborough.
Salisbury.	The rural districts of Amesbury, Salisbury, Tisbury, and Wilton, and the municipal boroughs of Salisbury and Wilton.
Swindon.	The part of the rural district of Highworth which is not included in the Devizes Division, and the municipal borough of Swindon.

(1) England, excluding Monmouthshire—*continued.*

Westbury.

The rural districts of Bradford-on-Avon, Melksham, Mere, Warminster, and Westbury and Whorwellsdown, and the urban districts of Bradford-on-Avon, Melksham, Trowbridge, Warminster, and Westbury.

Name of Parliamentary County.

WORCESTER.

Contents of Parliamentary County.

The administrative county of Worcester.

Total number of Members for Parliamentary County.

Four.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Bewdley.	The rural districts of Martley, Rock, Tenbury, and Upton-upon-Severn, the part of the rural district of Tewkesbury which consists of the civil parishes of Chaceley and Pendock, the rural district which consists of the civil parishes of Redmarley D'Abitôt and Staunton, the municipal borough of Bewdley, and the urban districts of Malvern and Stourport.
Evesham.	The rural districts of Droitwich, Evesham, Feckenham, Pershore, and Shipston-on-Stour, the parts of the rural districts of Stow-on-the-Wold and Winchcomb which are within the administrative county of Worcester, the part of the rural district of Tewkesbury which consists of the civil parishes of Bredon, Bredon's Norton, Conderton, Overbury, and Teddington, and the municipal boroughs of Droitwich and Evesham.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued.*

KIDDERMINSTER.

The rural districts of Bromsgrove and Kidderminster, the municipal borough of Kidderminster, and the urban districts of Bromsgrove, North Bromsgrove, and Redditch.

STOURBRIDGE.

The rural district of Halesowen, the municipal borough of Stourbridge, and the urban districts of Lye and Wollescote and Oldbury.

Name of Parliamentary County.

YORK, EAST RIDING.

Contents of Parliamentary County.

The administrative county of York, East Riding.

Total number of Members for Parliamentary County.

Three.

Names of Divisions of Parliamentary County. *Contents or Boundaries of Divisions.*

BUCKROSE.

The rural districts of Bridlington, Driffield, Norton, and Sherburn, the municipal borough of Bridlington, and the urban districts of Filey, Great Driffield, and Norton.

HOLDERNESS.

The rural districts of Patrington and Skirlaugh, the part of the rural district of Beverley which is not included in the Howdenshire Division, the part of the rural district of Sculcoates which consists of the civil parishes of Preston and Sutton, the municipal boroughs of Beverley and Hedon, and the urban districts of Cottingham, Hornsea, and Withernsea.

(i) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued*.

HOWDENSHIRE.

The rural districts of Escrick, Howden, Pocklington, and Riccall, the part of the rural district of Beverley which consists of the civil parishes of Brantingham, Ellerker, Elloughton-with-Brough, and South Cave, the part of the rural district of Sculcoates which is not included in the Holderness Division, and the urban districts of Hessle and Pocklington.

Name of Parliamentary County.

YORK, NORTH RIDING.

Contents of Parliamentary County.

The administrative county of York, North Riding, exclusive of the part thereof comprised in the parliamentary borough of Stockton-on-Tees.

Total number of Members for Parliamentary County.

Four.

Names of Divisions of Parliamentary County. — *Contents or Boundaries of Divisions.*

CLEVELAND.

The rural district of Middlesbrough, the part of the rural district of Guisborough which is not included in the Scarborough and Whitby Division, and the urban districts of Eston, Guisborough, Hinderwell, Loftus, Redcar, Saltburn-by-the-Sea, and Skelton and Brotton.

RICHMOND.

The rural districts of Aysgarth, Bedale, Croft, Leyburn, Northallerton, Reeth, Richmond, Startforth, and Stokesley, the municipal borough of Richmond, and the urban districts of Kirklington-cum-Upsland, Masham, and Northallerton.

(1) England, excluding Monmouthshire—*continued*.

Scarborough and Whitby.

The rural districts of Scarborough and Whitby, the part of the rural district of Guisborough which consists of the civil parishes of Commondale, Danby, and Westerdale, the part of the rural district of Pickering which consists of the civil parishes of Allerston, Ebberston, Kingthorpe, Levisham, Lockton, Marishes, Newton, Thornton Dale, and Wilton, the municipal borough of Scarborough, and the urban districts of Pickering, Scalby, and Whitby.

Thirsk and Malton.

The rural districts of Easingwold, Flaxton, Helmsley, Kirkby Moorside, Malton, Thirsk, and Wath, the part of the rural district of Pickering which is not included in the Scarborough and Whitby Division, and the urban district of Malton.

Name of Parliamentary County.

YORK, WEST RIDING.

Contents of Parliamentary County.

The administrative county of York, West Riding, exclusive of the parts thereof comprised in parliamentary boroughs.

Total number of Members for Parliamentary County.

Nineteen.

Names of Divisions of Parliamentary County. — *Contents or Boundaries of Divisions.*

Barkston Ash.

The rural districts of Bishopthorpe, Selby, Tadcaster, and Wetherby, the part of the rural district of Great Ouseburn which consists of the civil parishes of Acomb, Hessay, Knapton, Moor Monkton, Nether Poppleton, Rufforth, and Upper Poppleton, and the urban districts of Garforth and Selby.

(1) ENGLAND, EXCLUDING MONMOUTHSHIRE—*continued.*

COLNE VALLEY.

The urban districts of Farnley Tyas, Golcar, Holme, Holmfirth, Honley, Linthwaite, Marsden, Meltham, New Mill, Saddleworth, Scammonden, Slaithwaite, South Crosland, Springhead, and Thurstonland.

DONCASTER.

The municipal borough of Doncaster, and the urban districts of Adwick-le-Street and Bentley-with-Arksey.

DON VALLEY.

The rural districts of Doncaster and Thorne, and the urban districts of Mexborough and Tickhill.

ELLAND.

The rural district of Halifax (except the civil parish of Norland), the municipal borough of Brighouse, and the urban districts of Clayton, Elland, Greetland, Hipperholme, Queensbury, Shelf, Southowram, and Stainland.

HEMSWORTH.

The rural district of Hemsworth, the part of the rural district of Barnsley which is not included in the Wentworth Division, and the urban districts of Cudworth and Royston.

KEIGHLEY.

The rural district of Keighley, the municipal borough of Keighley, and the urban districts of Denholme, Haworth, Oakworth, Oxenhope, and Silsden.

NORMANTON.

The urban districts of Altofts, Castleford, Featherstone, Methley, Normanton, and Whitwood.

PENISTONE.

The rural districts of Penistone and Wortley, and the urban districts of Clayton West, Denby and

(1) England, excluding Monmouthshire—*continued.*

Cumberworth, Gunthwaite and Ingbirchworth, Hoyland Swaine, Kirkburton, Penistone, Shelley, Shepley, Skelmanthorpe, Stocksbridge, and Thurlstone.

Pontefract.

The rural districts of Goole and Pontefract, the municipal borough of Pontefract, and the urban districts of Goole and Knottingley.

Pudsey and Otley.

The part of the rural district of Wharfedale which is not included in the Shipley Division, the municipal borough of Pudsey, and the urban districts of Burley-in-Wharfedale, Calverley, Farsley, Horsforth, Ilkley, Otley, and Rawdon.

Ripon.

The rural districts of Knaresborough, Pateley Bridge, and Ripon, the part of the rural district of Great Ouseburn which is not included in the Barkston Ash Division, the municipal boroughs of Harrogate and Ripon, and the urban district of Knaresborough.

Rother Valley.

The rural district of Kiveton Park, the part of the rural district of Rotherham which is not included in the Wentworth Division, and the urban districts of Handsworth and Swinton.

Rothwell.

The rural districts of Hunslet and Wakefield, and the urban districts of Ardsley East and West, Emley, Flockton, Horbury, Rothwell, and Stanley.

Shipley.

The part of the rural district of Wharfedale which consists of the civil parishes of Esholt, Hawksworth, and Menston, and the urban districts of Baildon, Bingley, Guiseley, Shipley, and Yeadon.

(1) England, excluding Monmouthshire—*continued.*

Skipton.

The rural districts of Bowland, Sedbergh, Settle, and Skipton, and the urban districts of Barnoldswick, Earby, and Skipton.

Sowerby.

The rural district of Todmorden, the part of the rural district of Halifax which consists of the civil parish of Norland, the municipal borough of Todmorden, and the urban districts of Barkisland, Hebden Bridge, Luddenden Foot, Midgley, Mytholmroyd, Rishworth, Sowerby, Sowerby Bridge, and Soyland.

Spen Valley.

The urban districts of Birkenshaw, Birstal, Drighlington, Gildersome, Heckmondwike, Hunsworth, Kirkheaton, Lepton, Mirfield, Spenborough, and Whitley Upper.

Wentworth.

The part of the rural district of Barnsley which consists of the civil parishes of Billingley and Stainborough, the part of the rural district of Rotherham which consists of the civil parishes of Brampton Bierlow and Wentworth, and the urban districts of Bolton-upon-Dearne, Darfield, Dodworth, Hoyland Nether, Thurnscoe, Wath-upon-Dearne, Wombwell, and Worsborough.

(2) Wales and Monmouthshire.

Name of Parliamentary County.

ANGLESEY.

Contents of Parliamentary County.

The administrative county of Anglesey.

(2) WALES AND MONMOUTHSHIRE—*continued.*

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

BRECON AND RADNOR.

Contents of Parliamentary County.

The administrative counties of Brecon and Radnor.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

CARDIGAN.

Contents of Parliamentary County.

The administrative county of Cardigan.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

CARMARTHEN.

Contents of Parliamentary County.

The administrative county of Carmarthen.

(2) WALES AND MONMOUTHSHIRE—*continued.*

Total number of Members for Parliamentary County.

Two.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
CARMARTHEN.	The rural districts of Carmarthen, Llandovery, Llanybyther, Newcastle-in-Emlyn, and Whitland, the part of the rural district of Llandilofawr which is not included in the Llanelly Division, the municipal boroughs of Carmarthen, Kidwelly, and Llandovery, and the urban districts of Llandilo and Newcastle Emlyn.
LLANELLY.	The rural district of Llanelly, the part of the rural district of Llandilofawr which consists of the civil parishes of Bettws, Llandybie, and Quarter Bach, and the part of the civil parish of Llandilo Rural which comprises Ward I. of that parish as formed by the order of the county council of Carmarthen dated the 23rd day of October, 1894, the municipal borough of Llanelly, and the urban districts of Ammanford, Burry Port, and Cwmamman.

Name of Parliamentary County.

CARNARVON.

Contents of Parliamentary County.

The administrative county of Carnarvon exclusive of the part thereof comprised in the Carnarvon District of Boroughs and inclusive of Bardsey Island.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

(2) Wales and Monmouthshire—*continued.*

Name of Parliamentary County.

DENBIGH.

Contents of Parliamentary County.

The administrative county of Denbigh.

Total number of Members for Parliamentary County.

Two.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
Denbigh.	The rural districts of Llangollen, Llanrwst, Llansilin, Ruthin, St. Asaph (Denbigh), and Uwchaled, the rural district of Glan Conway consisting of the civil parishes of Llanelian yn Rhôs and Llansantffraid Glan Conway, the part of the rural district of Chirk which is not included in the Wrexham Division, the municipal boroughs of Denbigh and Ruthin, and the urban districts of Abergele and Pensarn, Colwyn Bay and Colwyn, Llangollen, and Llanrwst.
Wrexham.	The rural district of Wrexham, the part of the rural district of Chirk which consists of the civil parish of Chirk, and the municipal borough of Wrexham.

Name of Parliamentary County.

FLINT.

Contents of Parliamentary County.

The administrative county of Flint.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

(2) WALES AND MONMOUTHSHIRE—*continued.*

Name of Parliamentary County.

GLAMORGAN.

Contents of Parliamentary County.

The administrative county of Glamorgan exclusive of the parts thereof comprised in parliamentary boroughs.

Total number of Members for Parliamentary County.

Seven.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
ABERAVON.	The part of the rural district of Neath which consists of the civil parishes of Baglan Higher, Baglan Lower, Michaelston Higher, and Michaelston Lower, the part of the rural district of Penybont which consists of the civil parishes of Kenfig, Pyle, Sker, Tythegston Higher, and Tythegston Lower, the municipal borough of Aberavon, and the urban districts of Briton Ferry, Glencorwg, Margam, and Porthcawl.
CAERPHILLY.	The urban districts of Caerphilly and Gelligaer.
GOWER.	The rural districts of Gower and Swansea, and the urban district of Oystermouth.
LLANDAFF AND BARRY.	The rural district of Llandaff and Dinas Powis, and the urban district of Barry.
NEATH.	The rural district of Pontardawe, the part of the rural district of Neath which is not included in the Aberavon Division, and the municipal borough of Neath.

(2) WALES AND MONMOUTHSHIRE—*continued.*

OGMORE.

The part of the rural district of Penybont which is not included in the Aberavon Division, and the urban districts of Bridgend, Maesteg, and Ogmore and Garw.

PONTYPRIDD.

The rural districts of Cowbridge and Llantrisant and Llantwitfardre, the municipal borough of Cowbridge, and the urban district of Pontypridd.

Name of Parliamentary County.

MERIONETH.

Contents of Parliamentary County.

The administrative county of Merioneth.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

MONMOUTH.

Contents of Parliamentary County.

The administrative county of Monmouth.

Total number of Members for Parliamentary County.

Five.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
ABERTILLERY.	The urban districts of Abercarn, Abertillery, and Nantyglo and Blaina.

(2) WALES AND MONMOUTHSHIRE—*continued.*

BEDWELLTY.

The part of the rural district of St. Mellons which consists of the civil parish of Rogerstone, and the urban districts of Bedwas and Machen, Bedwellty, Mynyddislwyn, and Risca.

EBBW VALE.

The urban districts of Ebbw Vale, Rhymney, and Tredegar.

MONMOUTH.

The rural districts of Abergavenny, Chepstow, Magor, Monmouth, and Pontypool, the rural district of St. Mellons (except the civil parish of Rogerstone), the municipal boroughs of Abergavenny and Monmouth, and the urban districts of Caerleon, Chepstow, and Usk.

PONTYPOOL.

The urban districts of Abersychan, Blaenavon, Llanfrechfa Upper, Llantarnam, Panteg, and Pontypool.

Name of Parliamentary County.

MONTGOMERY.

Contents of Parliamentary County.

The administrative county of Montgomery.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

PEMBROKE.

Contents of Parliamentary County.

The administrative county of Pembroke.

(2) WALES AND MONMOUTHSHIRE—*continued.*

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

(3) SCOTLAND.

Name of Parliamentary County.

ABERDEEN AND KINCARDINE.

Contents of Parliamentary County.

The counties of Aberdeen and Kincardine, inclusive of all burghs situated therein except the county of the city of Aberdeen and the burgh of Inverbervie.

Total number of Members for Parliamentary County.

Three.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
CENTRAL.	The county districts of Aberdeen, Ellon, Garioch, and Huntly, inclusive of the burghs of Ellon, Inverurie, Kintore, Old Meldrum, and Huntly.
EASTERN.	The county districts of Deer and Turriff, inclusive of all burghs situated therein.
KINCARDINE AND WESTERN.	The county of Kincardine, inclusive of all burghs situated therein except the burgh of Inverbervie and that portion of the county of the city of Aberdeen which is situated within the said county of Kincardine, together with the county districts of Alford and Deeside, inclusive of all burghs situated therein.

(3) SCOTLAND—*continued.*

Name of Parliamentary County.

ARGYLL.

Contents of Parliamentary County.

The county of Argyll, inclusive of all burghs situated therein.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

AYR AND BUTE.

Contents of Parliamentary County.

The counties of Ayr and Bute, inclusive of all burghs situated therein except the burghs of Ayr, Ardrossan, Irvine, Prestwick, Saltcoats, and Troon.

Total number of Members for Parliamentary County.

Three.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
BUTE AND NORTHERN.	The county of Bute, inclusive of all burghs situated therein, and the county district of Northern Ayr, inclusive of all burghs situated therein except in so far as included in the Ayr District of Burghs.
KILMARNOCK.	The county district of Kilmarnock, inclusive of all burghs situated therein except in so far as included in the Ayr District of Burghs.
SOUTH AYRSHIRE.	The county districts of Ayr and Carrick, inclusive of all burghs situated therein except in so far as included in the Ayr District of Burghs.

(3) SCOTLAND—*continued.*

Name of Parliamentary County.

BANFF.

Contents of Parliamentary County.

The county of Banff, inclusive of all burghs situated therein.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

BERWICK AND HADDINGTON.

Contents of Parliamentary County.

The counties of Berwick and Haddington, inclusive of all burghs situated therein.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

CAITHNESS AND SUNDERLAND.

Contents of Parliamentary County.

The counties of Caithness and Sunderland, inclusive of all burghs situated therein.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

(3) SCOTLAND—*continued.*

Name of Parliamentary County.

DUMBARTON.

Contents of Parliamentary County.

The county of Dumbarton, inclusive of all burghs situated therein except the burghs of Dumbarton and Clydebank.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

DUMFRIES.

Contents of Parliamentary County.

The county of Dumfries, inclusive of all burghs situated therein.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

FIFE.

Contents of Parliamentary County.

The county of Fife, inclusive of all burghs situated therein except the burghs of Dunfermline, Cowdenbeath, Inverkeithing, Lochgelly, Kirkcaldy, Buckhaven Methil and Innerleven, Burntisland, Dysart, and Kinghorn.

(3) SCOTLAND—*continued.*

Total number of Members for Parliamentary County.

Two.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
EASTERN.	The Cupar and St. Andrews County Districts, inclusive of all burghs situated therein, together with the burgh of Leven and so much of the Kirkcaldy County District as is contained within the extra-burghal portion of the parish of Scoonie and the parish of Kennoway.
WESTERN.	The Dunfermline County District, inclusive of all burghs situated therein except in so far as included in the Dunfermline District of Burghs, together with so much of the Kirkcaldy County District, inclusive of all burghs situated therein, as is included neither in the Eastern Division nor in the Dunfermline and Kirkcaldy Districts of Burghs.

Name of Parliamentary County.

FORFAR.

Contents of Parliamentary County.

The county of Forfar, inclusive of all burghs situated therein except the county of the city of Dundee and the burghs of Montrose, Arbroath, Brechin, and Forfar.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

(3) SCOTLAND—*continued.*

Name of Parliamentary County.

GALLOWAY.

Contents of Parliamentary County.

The counties of Kirkcudbright and Wigtown, inclusive of all burghs situated therein.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

INVERNESS AND ROSS AND CROMARTY.

Contents of Parliamentary County.

The counties of Inverness and Ross and Cromarty, inclusive of all burghs situated therein.

Total number of Members for Parliamentary County.

Three.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
INVERNESS.	The county of Inverness, inclusive of all burghs situated therein, except in so far as contained within the Western Isles Division.
ROSS AND CROMARTY.	The county of Ross and Cromarty, inclusive of all burghs situated therein, except in so far as contained within the Western Isles Division.
WESTERN ISLES.	So much of the county of Ross and Cromarty as is contained within the Lews County District, inclusive of the burgh of Stornoway, together with

(3) SCOTLAND—*continued.*

so much of the county of Inverness as is contained within the Harris County District, the North Uist County District, and the South Uist County District.

Name of Parliamentary County.

LANARK.

Contents of Parliamentary County.

The county of Lanark, inclusive of all burghs situated therein except the county of the city of Glasgow and so much of the burgh of Renfrew as is contained within the parish of Govan.

Total number of Members for Parliamentary County.

Seven.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
BOTHWELL.	The part of the Middle Ward County District which is contained within the parishes of Old Monkland and Bothwell, exclusive of all burghs or portions of burghs situated therein.
COATBRIDGE.	The burghs of Coatbridge and Airdrie.
HAMILTON.	The burgh of Hamilton and the part of the Middle Ward County District which is contained within the extra-burghal portion of the parish of Hamilton and the parish of Dalserf.
LANARK.	The Upper Ward County District, inclusive of all burghs situated therein, together with the part of the Middle Ward County District which is contained within the parishes of Avondale, East Kilbride, Glassford, and Stonehouse.

(3) SCOTLAND—*continued.*

MOTHERWELL.

The burghs of Motherwell and Wishaw, together with the part of the Middle Ward County District which is contained within the extra-burghal portion of the parish of Dalziel.

NORTHERN.

The parts of the Lower Ward and Middle Ward County Districts which are contained within the parishes of Glasgow, Cadder, New Monkland, Shotts, and Cambusnethan, exclusive of any burghs or portions of burghs situated therein.

RUTHERGLEN.

The burgh of Rutherglen and the parts of the Lower Ward and Middle Ward County Districts which are contained within the parishes of Carmunnock, Cambuslang, and Blantyre, and the extra-burghal portion of the parish of Rutherglen.

Name of Parliamentary County.

LINLITHGOW.

Contents of Parliamentary County.

The county of Linlithgow, inclusive of all burghs situated therein.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

MIDLOTHIAN AND PEEBLES.

Contents of Parliamentary County.

The counties of Midlothian and Peebles, inclusive of all burghs situated therein, except the county of the city of Edinburgh and the burghs of Leith and Musselburgh.

(3) SCOTLAND—*continued.*

Total number of Members for Parliamentary County.

Two.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
NORTHERN.	The Calder and Suburban County Districts, the burgh of Dalkeith, and that part of the Lasswade County District which is included in the extra-burghal portions of the parishes of Dalkeith and Inveresk.
PEEBLES AND SOUTHERN.	The county of Peebles with all the burghs situated therein, and the Gala Water and Lasswade County Districts of Midlothian (except that part of the latter district which is included in the Northern Division as above) with all burghs situated therein except the burghs of Dalkeith and Musselburgh.

Name of Parliamentary County.

MORAY AND NAIRN.

Contents of Parliamentary County.

The counties of Elgin and Nairn, inclusive of all burghs situated therein.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

ORKNEY AND ZETLAND.

Contents of Parliamentary County.

The counties of Orkney and Zetland, inclusive of all burghs situated therein.

(3) SCOTLAND—*continued.*

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

PERTH AND KINROSS.

Contents of Parliamentary County.

The counties of Perth and Kinross, inclusive of all burghs situated therein.

Total number of Members for Parliamentary County.

Two.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
KINROSS AND WESTERN.	The county of Kinross, inclusive of the burgh of Kinross, together with so much of the county of Perth as is contained within the Central, Highland and Western County Districts, inclusive of all burghs situated therein.
PERTH.	So much of the county of Perth as is contained within the Eastern or Blairgowrie and Perth County Districts, inclusive of the city of Perth and all burghs situated within the said county districts.

Name of Parliamentary County.

RENFREW.

Contents of Parliamentary County.

The county of Renfrew, inclusive of all burghs situated therein, except the burghs of Greenock and Paisley, together with so much of the burgh of Renfrew as is contained within the parish of Govan in the county of Lanark.

(3) SCOTLAND—*continued.*

Total number of Members for Parliamentary County.

Two.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
EASTERN.	The Upper County District, inclusive of all burghs situated therein, except the burghs of Paisley and Johnstone, together with so much of the burgh of Renfrew as is contained within the parish of Govan in the county of Lanark.
WESTERN.	The Lower County District, inclusive of all burghs situated therein, except the burgh of Greenock, together with the burgh of Johnstone.

Name of Parliamentary County.

ROXBURGH AND SELKIRK.

Contents of Parliamentary County.

The counties of Roxburgh and Selkirk, inclusive of all burghs situated therein.

Total number of Members for Parliamentary County.

One.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*

Name of Parliamentary County.

STIRLING AND CLACKMANNAN.

Contents of Parliamentary County.

The counties of Stirling and Clackmannan, inclusive of all burghs situated therein, except the burghs of Stirling, Falkirk and Grangemouth.

(3) SCOTLAND—*continued.*

Total number of Members for Parliamentary County.

Two.

Names of Divisions of Parliamentary County.	*Contents or Boundaries of Divisions.*
CLACKMANNAN AND EASTERN.	The county of Clackmannan, inclusive of all burghs situated therein, together with the Eastern County District of the county of Stirling, exclusive of the burghs of Falkirk and Grangemouth.
WESTERN.	The Central and Western County Districts of the county of Stirling, inclusive of all burghs situated therein, but exclusive of the burgh of Stirling.

PART III.

UNIVERSITIES.

Description of University Constituency.	Number of Members.
England and Wales :—	
The University of Oxford	2
The University of Cambridge	2
The University of London	1
The University of Wales	1
The University of Durham, the Victoria University of Manchester, the University of Liverpool, the University of Leeds, the University of Sheffield, the University of Birmingham, and the University of Bristol	2
Scotland :—	
The University of St. Andrews, the University of Glasgow, the University of Aberdeen, and the University of Edinburgh..	3

APPENDIX I.

Orders in Council, Directions of Local Government Board, &c.

[*N.B.—For further Orders in Council, published too late to be included in this Appendix, see p. 747, infra, et seq.*]

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No. 1.

ORDER IN COUNCIL PRESCRIBING FORMS FOR REGISTRATION PURPOSES (*b*).

R. P. 4.

At the Court at Buckingham Palace, the 4th day of March, 1918.

PRESENT,

The King's Most Excellent Majesty in Council.

WHEREAS under the Representation of the People Act, 1918 (hereinafter referred to as "the Act"), various matters are to be prescribed by His Majesty by Order in Council:

(*a*) A further Order in Council has been substituted for the Order in Council referred to above. Such further order, which has been published too late to be included in this Appendix, will be found on p. 747, *infra*.

(*b*) See ss. 13 (2) and 5 (2), pp. 133, 134, and 77, *supra*.

And whereas in particular provision is made by the Act as follows:—

"His Majesty may by Order in Council prescribe the forms to be used for registration purposes and any fees to be taken in connection therewith, and alter the rules contained in the First Schedule to this Act for the purpose of carrying this Act into full effect . . . ." (s. 13 (2)).

"The statement of any person, made in the prescribed form and verified in the prescribed manner, that he would have had the necessary qualification in any constituency but for the service which brings him within the provisions of this section, shall for all purposes of this section be sufficient if there is no evidence to the contrary." (s. 5 (2)).

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. The forms specified in the Schedule to this Order, or forms to the like effect, shall be used in the cases to which they are expressed to be applicable and shall for the purposes of the Act be deemed to be the prescribed forms.

2. In particular the forms of statement as therein specified under heading V. ("Forms of statement to be made under s. 5 (2) of the Act"), or forms to the like effect, shall be deemed to be the prescribed forms of statement that a person would have had the necessary qualification but for the service which brings him within the provisions of the said section, and shall be verified by being countersigned by an officer or other person in the manner shown on the forms.

3. This Order shall not apply to Scotland or Ireland.

ALMERIC FITZROY.

SCHEDULE.

FORMS.

I. FORMS OF INFORMATION TO BE REQUIRED FROM HOUSEHOLDERS, OCCUPIERS, OWNERS, AGENTS, &c.

FIRST SCHEDULE, RULE 35 (*b*).

FORM A (HOUSEHOLDER OR OCCUPIER).

REPRESENTATION OF THE PEOPLE ACT, 1918.

Particulars required from Householder or Occupier by the Registration Officer for .

INSTRUCTIONS FOR FILLING UP THIS FORM.

(1) You will enter as a resident any person who is ordinarily living in the house, whether he is actually present there on a given date or not.

(2) Generally speaking, the person to be entered as occupier is the person who pays rent in respect of the premises or land,

(*b*) For this Rule, see p. 352, *supra*.

where the premises or land are let, and where the premises or land are not let, the owner if in occupation.

(3) A person who inhabits a dwelling house or rooms (without payment of rent), by virtue of any office, service or employment, is to be treated as an occupier, so long as his employer does not himself inhabit the house or rooms.

(4) Lodgers are only to be treated as occupiers where the lodgings are let to them unfurnished.

(5) Where land or premises are occupied by a partnership, or otherwise by persons as joint tenants, all the members of the partnership and all the joint tenants should be entered, with a statement that they occupy as members of a partnership or otherwise as joint tenants.

(6) A person qualified under more than one heading should be entered under each of those headings.

To , Householder [Occupier] at .

You are required to give information on the following points for the purpose of assisting the Registration Officer in compiling the Parliamentary and Local Government registers.

1. For the purpose of the PARLIAMENTARY FRANCHISE (MEN).

(a) Information as to men who are resident in the premises (occupier to be included if resident; men under 21 not to be entered).

Names.		State whether present residence commenced on or before, or after* 19 . If after, give addresses (with dates) of previous residences since that date, so far as known.	Whether a British Subject.
Surname.	Other names in full.		

(b) Information as to men (if any) who are occupiers of the premises or any part thereof for the purpose of a business, profession, or trade (men under 21 not to be entered).

Names.		State whether present occupation of the premises commenced on or before, or after* 19 . If after, give addresses (with dates) of previous occupation since that date so far as known.	Description of Business, Profession, or Trade.	Whether a British Subject.
Surname.	Other names in full.			

* First day of qualifying period.

2. For the purpose of the PARLIAMENTARY FRANCHISE (WOMEN).

(a) Information as to women over thirty years of age who are occupiers of the premises or any part thereof in their own right.

Names.		State whether present occupation of the premises commenced on before, or after * 19 . If after, give addresses (with dates) of previous occupation since that date so far as known.	Whether a British Subject.
Surname.	Other names in full.		

(b) Information as to married women over thirty years of age whose husbands are occupiers of the premises or any part thereof.

Names.		State whether the husband's occupation of the premises commenced on or before, or after * 19 . If after, give addresses (with dates) of previous occupation since that date so far as known.	Whether a British Subject.
Surname.	Other names in full.		

3. For the purpose of the LOCAL GOVERNMENT FRANCHISE (MEN).

Information as to men who are occupiers of the premises or any part thereof (men under 21 not to be entered).

Names.		State whether present occupation of the premises commenced on or before, or after * 19 . If after, give addresses (with dates) of previous occupation since that date so far as known.	Whether a British Subject.
Surname.	Other names in full.		

* First day of qualifying period.

4. For the purpose of the LOCAL GOVERNMENT FRANCHISE (WOMEN).

(a) Information as to women who are occupiers of the premises or any part thereof in their own right (women under 21 not to be entered).

Names.		State whether present occupation of the premises commenced on or before, or after* 19 . If after, give addresses (with dates) of previous occupation since that date so far as known.	Whether a British Subject.
Surname.	Other names in full.		

(b) Information as to married women over thirty years of age who are living with their husbands at the premises, and whose husbands are occupiers of the premises or any part thereof.

Names.		State whether the husband's occupation of the premises commenced on or before, or after* 19 . If after give addresses (with dates) of previous occupation since that date so far as known.	Whether a British Subject.
Surname.	Other names in full.		

5. For the purpose of the registration of NAVAL OR MILITARY VOTERS.

Information as to any person who is—

(a) serving in His Majesty's Forces, or

(b) serving abroad or afloat in connection with the war

(i) as a merchant seaman, pilot or fisherman; or

(ii) in some other capacity,

and who would have been, in the case of a man residing on or occupying, or, in the case of a woman occupying, the premises but for his or her service.

NOTE.—Only men over 19 and women over 30 to be entered.

Names.		Male or Female.	Description of service. (*a*) If in the Forces, give so far as known regiment, ship, number, &c. (*b*) If not in the Forces, state nature of service.	Whether a British Subject.
Surname.	Other names in full.			

* First day of qualifying period.

6. Other information required by the registration officer.
(To be filled in by registration officer).

I declare that the particulars given in this return are true and accurate to the best of my knowledge and belief.

Signature .

Date .

This form should be filled up without delay, and if not previously called for should be sent by post within days from this date to the address given on the back.

Signed ,
Registration Officer.

Date .

N.B.—The Representation of the People Act, 1918, imposes a penalty in the case of failure to give the required information and in the case of false information being given.

FORM B. (OWNER, AGENT OR FACTOR.)

REPRESENTATION OF THE PEOPLE ACT, 1918.

To (Owner, Agent or Factor.)

For the purpose of assisting the registration officer in compiling the parliamentary and local government registers you are required to give the undermentioned information in respect of each person who occupies separately any part of the land or premises known as

Occupiers.		Address of land or premises occupied.*	State whether dwelling house, or business premises or other premises.	Date on which occupation commenced.
Surname.	Other names in full.			

* In the case of numbered flats, offices, &c., insert the number of the flat, office, &c. In the case of unnumbered flats, offices, &c., describe premises occupied, *e.g.*, 2 rooms 1st floor ; 1 room 4th floor, &c.

I declare that the particulars given in this return are true and accurate to the best of my knowledge and belief.

Signature .

Date .

This form should be filled up without delay, and if not previously called for should be sent by post within days from this date to the address given on the back.

Signed ,

Registration Officer.

Date .

N.B.—The Representation of the People Act, 1918, imposes a penalty in the case of failure to give the required information and in the case of false information being given.

FORM C. (HOUSEHOLDER, OCCUPIER, OWNER, AGENT OR FACTOR.)

REPRESENTATION OF THE PEOPLE ACT, 1918.

To

For the purpose of assisting the registration officer in compiling the parliamentary and local government registers you are required to give supplemental information on the following particular points:—

Information Required.	Answer.

I declare that the information given in this return is true and accurate to the best of my knowledge and belief.

Signature .

Date .

This form should be filled up without delay, and if not previously called for should be sent by post within days from this date to the address given on the back.

Signed ,

Registration Officer.

Date .

N.B.—The Representation of the People Act, 1918, imposes a penalty in the case of failure to give the required information and in the case of false information being given.

II. FORMS OF CLAIM TO BE REGISTERED.

FIRST SCHEDULE, RULES 9 AND 10 (*c*).

(1)

MAN'S PARLIAMENTARY CLAIM (RESIDENCE QUALIFICATION) (*d*).

To the registration officer for the constituency of .

Address .

Claim to be registered as a Parliamentary elector in respect of a residence qualification.

I hereby declare—

(1) that I claim to be registered as a Parliamentary elector for the above constituency in respect of residence at*

(2) that I was residing at the qualifying premises on the† day of last, and have resided at the qualifying premises during the whole of the six months ending on the said day‡;

(3) that I have attained the age of twenty-one;

(4) that I am a British subject.

Signed ,

Date .

NOTE.—Any false declaration made for the purpose of this claim will render the claimant liable to a penalty.

* Here insert full postal address.
† Here insert *last* day of qualifying period.
‡ See instruction at foot of Form.

INSTRUCTION AS TO SUCCESSIVE RESIDENCE (*e*).

If the claimant's residence commenced after the§ day of , 19 , paragraph (2) must be struck out and the following paragraph filled in and signed:—

(2) I hereby declare that I was residing at the qualifying premises on the† day of last, and that during the six months ending on the said day I resided as follows:—from to at , from to at , etc., etc.

Signed .

§ Here insert *first* day of qualifying period.
† Here insert *last* day of qualifying period.

(*c*) For these rules, see pp. 342—343, *supra*.
(*d*) See pp. 9—24, *supra*.
(*e*) See pp. 23, 24, *supra*.

(2)

MAN'S PARLIAMENTARY CLAIM (BUSINESS PREMISES QUALIFICATION) (*f*).

To the registration officer for the constituency of .

Address .

Claim to be registered as a Parliamentary elector in respect of a business premises qualification.

I hereby declare—

(1) that I claim to be registered as a Parliamentary elector for the above constituency in respect of the occupation of the following business premises*

(2) that I was in occupation of the qualifying premises on the† day of last, and have been in occupation of them during the whole of the six months ending on the said day‡;

(3) that the qualifying premises were occupied by me for the purpose of my business [profession] [trade] as and are of a yearly value of not less than ten pounds;

(4) that I have attained the age of twenty-one;

(5) that I am a British subject;

(6) that I reside at§

Signed .

Date .

NOTE.—Any false declaration made for the purpose of this claim will render the claimant liable to a penalty.

* Here insert full postal address and description (*e.g.* shop at).

† Here insert *last* day of qualifying period.

‡ See instruction at foot of Form.

§ Here insert full postal address of residence or, if claimant has no settled residence, of place to which communications may be sent.

INSTRUCTION AS TO SUCCESSIVE OCCUPATION (*g*).

If the claimant's occupation of the premises commenced after the‖ day of , 19 , paragraph (2) must be struck out and the following paragraph filled in and signed:—

(2) I hereby declare that I was in occupation of the qualifying premises on the† day of last, and that during the six months ending on the said day I have occupied qualifying premises for the purposes of my business [profession] [trade] as follows:—from to at , from to at , etc., etc.

Signed .

‖ Here insert *first* day of qualifying period.

† Here insert *last* day of qualifying period.

(*f*) See pp. 24—37, *supra*.

(*g*) See p. 25, *supra*.

(3)

WOMAN'S PARLIAMENTARY CLAIM (OWN OCCUPATION) (*h*).

To the registration officer for the constituency of .
Address .

Claim to be registered as a Parliamentary elector in respect of own occupation.

I hereby declare—

(1) that I claim to be registered as a Parliamentary elector for the above constituency in respect of the occupation of the following qualifying premises*

(2) that I was in occupation of the qualifying premises on the† day of last, and have been in occupation of them during the whole of the six months ending on the said day‡;

(3) that the annual value of the qualifying premises is not less than five pounds§;

(4) that I have attained the age of thirty;

(5) that I am a British subject;

(6) that I reside at‖

Signed .

Date .

NOTE.—Any false declaration made for the purpose of this claim will render the claimant liable to a penalty.

* Here insert full postal address and description (*e.g.*, land at , dwelling house at , shop at).

† Here insert *last* day of qualifying period.

‡ See instruction at foot of Form.

§ Strike out this paragraph where the qualifying premises are a dwelling house.

‖ Here insert full postal address of residence or, if claimant has no settled residence, of place to which communications may be sent.

INSTRUCTION AS TO SUCCESSIVE OCCUPATION (*i*).

If the claimant's occupation of the premises commenced after the¶ day of , 19 , paragraph (2) must be struck out and the following paragraph filled in and signed:—

(2) I hereby declare that I was in occupation of the qualifying premises on the† day of last, and that during the six months ending on the said day I occupied qualifying premises as follows:—from to at , from to at , etc., etc.

Signed .

¶ Here insert *first* day of qualifying period.

† Here insert *last* day of qualifying period.

(*h*) See pp. 68—72, *supra*.

(*i*) See p. 60, *supra*.

(4)

WOMAN'S PARLIAMENTARY CLAIM (HUSBAND'S OCCUPATION) (*k*).

To the registration officer for the constituency of .

Address .

Claim to be registered as a Parliamentary elector in respect of husband's occupation.

I hereby declare—

(1) that I claim to be registered as a Parliamentary elector in respect of the occupation by my husband of the following qualifying premises*

(2) that my husband was in occupation of the qualifying premises on the† day of last, and has been in occupation of them during the whole of the six months ending on the said day‡;

(3) that the annual value of the qualifying premises is not less than five pounds§;

(4) that I have attained the age of thirty;

(5) that I am a British subject;

(6) that I reside at‖

Signed .

Date .

NOTE.—Any false declaration made for the purpose of this claim will render the claimant liable to a penalty.

* Here insert full postal address and description (*e.g.*, land at , dwelling house at , shop at).

† Here insert *last* day of qualifying period.

‡ See instruction at foot of Form.

§ Strike out this paragraph where the qualifying premises are a dwelling house.

‖ Here insert full postal address of residence or, if the claimant has no settled residence, of place to which communications may be sent.

INSTRUCTION AS TO SUCCESSIVE OCCUPATION (*l*).

If the husband's occupation of the premises commenced after the¶ day of , 19 , paragraph (2) must be struck out and the following paragraph filled in and signed:—

(2) I hereby declare that my husband was in occupation of the qualifying premises on the† day of last, and that during the six months ending on the said day he occupied qualifying premises as follows:—from to at , from to at , etc., etc.

Signed .

¶ Here insert *first* day of qualifying period.

† Here insert *last* day of qualifying period.

(*k*) See pp. 68—72, *supra*.

(*l*) See p. 60, *supra*.

(5)

LOCAL GOVERNMENT CLAIM (ALL CASES EXCEPT THAT OF A WOMAN CLAIMING IN RESPECT OF HER HUSBAND'S QUALIFICATION) (*m*).

To the registration officer for .
Address .

Claim to be registered as a Local Government elector.

I hereby declare—

(1) that I claim to be registered as a Local Government elector for all local government elections [~~except local government elections for~~] in respect of the occupation of the following qualifying premises*

(2) that I was in occupation of the qualifying premises on the† day of last, and have been in occupation of them during the whole period of six months ending on the said day‡;

(3) that I have attained the age of twenty-one;

(4) that I am a British subject;

(5) that I reside at§

Signed .

Date .

NOTE.—Any false declaration made for the purpose of this claim will render the claimant liable to a penalty.

* Here insert full postal address and description (*e.g.*, land at , dwelling house at , shop at).

† Here insert *last* day of qualifying period.

‡ See instruction at foot of Form.

§ Here insert full postal address of residence or, if claimant has no settled residence, of place to which communications may be sent.

INSTRUCTION AS TO SUCCESSIVE OCCUPATION (*n*).

If the claimant's occupation of the premises commenced after the‖ day of , 19 , paragraph (2) must be struck out and the following paragraph filled in and signed:—

(2) I hereby declare that I was in occupation of the qualifying premises on the† day of last, and that during the six months ending on the said day I occupied qualifying premises as follows:—from to at , from to at , etc., etc.

Signed .

‖ Here insert *first* day of qualifying period.

† Here insert *last* day of qualifying period.

(*m*) See pp. 73, 74, *supra*.

(*n*) See p. 60, *supra*.

(6)

LOCAL GOVERNMENT CLAIM (WOMEN CLAIMING IN RESPECT OF HUSBAND'S QUALIFICATION (*o*).

To the registration officer for .
Address .

Claim to be registered as a Local Government elector in respect of husband's occupation.

I hereby declare—

(1) that I claim to be registered as a Local Government elector for all local government elections [except local government elections for] in respect of the occupation by my husband of the following qualifying premises*

(2) that my husband was in occupation of the qualifying premises on the† day of last, and has been in occupation of them during the whole of the six months ending on the said day‡;

(3) that my husband is entitled to be registered as a local government elector in respect of the occupation of the qualifying premises and that we both reside there;

(4) that I have attained the age of thirty;

(5) that I am a British subject.

Signed .

Date .

NOTE.—Any false declaration made for the purpose of this claim will render the claimant liable to a penalty.

* Here insert full postal address and description (*e.g.*, land at , dwelling house at , shop at).

† Here insert *last* day of qualifying period.

‡ See instruction at foot of Form.

INSTRUCTION AS TO SUCCESSIVE OCCUPATION (*p*).

If the husband's occupation of the premises commenced after the§ day of , 19 , paragraph (2) must be struck out and the following paragraph filled in and signed:—

(2) I hereby declare that my husband was in occupation of the qualifying premises on the† day of last, and that during the six months ending on the said day he occupied qualifying premises as follows:—from to at , from to at , etc., etc.

Signed .

§ Here insert *first* day of qualifying period.

† Here insert *last* day of qualifying period.

(*o*) See pp. 75, 76, *supra*.

(*p*) See p. 60, *supra*.

(7)

CLAIM MADE BY ONE PERSON ON BEHALF OF ANOTHER (PARLIAMENTARY) (*q*).

To the registration officer for the constituency of .

Address .

I hereby claim on behalf of of that he [she] should be registered as a Parliamentary elector for the above constituency; in respect of* .

Signed .

Address .

Date .

NOTE.—The Act provides that where a claim is made by one person on behalf of another the name is not to be entered on the register unless the matters required to be stated in the declaration made by a person claiming on his own behalf are proved to the satisfaction of the registration officer.

* Here insert qualification (*e.g.*, Residence at , Occupation of Business Premises at , &c.), and full postal address and description of qualifying premises.

(8)

CLAIM MADE BY ONE PERSON ON BEHALF OF ANOTHER (LOCAL GOVERNMENT) (*q*).

To the registration officer for .

Address .

I hereby claim on behalf of of that he [she] should be registered as a local government elector for all local government elections in respect of*
[except local government elections for].

Signed .

Address .

Date .

NOTE.—The Act provides that where a claim is made by one person on behalf of another the name is not to be entered on the register unless the matters required to be stated in the declaration made by a person claiming on his own behalf are proved to the satisfaction of the registration officer.

* Here insert qualification (*e.g.*, Occupation of dwelling house at , or husband's occupation of shop at , &c.) and full postal address and description of qualifying premises.

(*q*) See Rule 10, p. 343, *supra*.

(9)

CLAIM FOR CORRECTION OF ENTRY IN LISTS (*r*).

To the registration officer for .
Address .
I hereby claim that the following entry of my name in the lists prepared by you*
should be altered as follows:—†

Signed .
Address .
Date .

NOTE.—Where the correction claimed would give to the claimant the right to vote at any election at which the claimant could not vote but for the correction, there must be added to this claim a declaration in the same form as that to be made by a person claiming to be registered as such a voter.

* Here insert extract from printed electors lists, stating registration unit.

† *e.g.*, by removing the name from one division to another, altering the mark placed against the name, correcting the particulars entered, &c.

III. CLAIM AND DECLARATION TO BE MADE BY NAVAL AND MILITARY VOTERS BEFORE BEING REGISTERED IN RESPECT OF AN ACTUAL RESIDENCE QUALIFICATION.

SECT. 5 (1) (*s*).

In the case of a merchant seaman, pilot, or fisherman, who is a naval or military voter the statement set out in the form prescribed for such persons under heading V. ("Forms of statement to be made under s. 5 (2) of the Act") shall (if it includes a statement of actual residence) be sufficient form of claim and declaration.

In other cases the same form must be used as in the case of a Man's Parliamentary Claim (Residence Qualification) with the substitution of "month" for "six months," and of "the age of nineteen" for "the age of twenty-one"; and must be accompanied by the following declaration:—

I, being a naval [military] voter hereby declare that I have taken steps to prevent my being registered in a constituency for which I should have had the necessary qualification but for my service, as follows:—*

Signed .

* Here insert steps taken.

(*r*) See Rule 9, pp. 342—343, *supra*.
(*s*) See pp. 76, 77, 91—93, *supra*.

IV. FORMS OF NOTICE OF OBJECTION.

FIRST SCHEDULE, RULE 12 (*t*).

(1)

OBJECTION TO LISTS OF PARLIAMENTARY OBJECTORS.

To the registration officer for the constituency of .
Address .
I hereby give you notice that I object to the entry of* as a Parliamentary elector.
The grounds of my objection are:—
I am entered in the electors lists as a Parliamentary elector for the above constituency as follows:—*
Signed .
Address .
Date .

* Here insert extract from printed electors lists, stating registration unit.

(2)

OBJECTION TO LISTS OF LOCAL GOVERNMENT ELECTORS.

To the registration officer for .
Address .
I hereby give you notice that I object to the entry of* as a local government elector for the local government area.
The grounds of my objection are:—
I am entered in the lists of local government electors for the above local government area as follows:—*
Signed .
Address .
Date .

* Here insert extract from printed electors lists, stating registration unit.

(3)

OBJECTION TO CLAIMS (PARLIAMENTARY).

To the registration officer for the constituency of .
Address .
I hereby give you notice that I object to the name of being placed in accordance with the claim made in that behalf in the lists of Parliamentary electors for the above constituency.
The grounds for my objections are as follows:—
I am entered in the electors lists as a Parliamentary elector for the above constituency as follows:—*
Signed .
Address .
Date .

* Here insert extract from printed electors lists, stating registration unit.

(*t*) For this Rule, see p. 344, *supra*.

(4)

OBJECTION TO CLAIMS (LOCAL GOVERNMENT).

To the registration officer for .

Address .

I hereby give you notice that I object to the name of being placed in accordance with the claim made in that behalf in the lists of local government electors for the following local government electoral areas:—

The grounds of my objection are as follows:—

I am entered in the lists of local government electors for the above areas as follows:—*

Signed .

Address .

Date .

* Here insert extract from printed electors lists, stating registration unit.

V. FORMS OF STATEMENT TO BE MADE UNDER S. 5 (2) (*u*) OF THE ACT.

A.—BY MEN.

(1)

Navy.

REPRESENTATION OF THE PEOPLE ACT, 1918.

Parent Ship (or Establishment) .

Surname .

Christian Names (in full) .

Rank or Rating . Official No. .

Age (on 15th April, 1918) . State whether R.N., R.M., R.N.R., R.N.V.R., or R.N.D. .

Qualifying Address, that is, full postal address (including the County, or in London the Metropolitan Borough) where officer or man would have been residing but for his service in the Forces .

The foregoing particulars are true and accurate to the best of my knowledge and belief.

Signature of the above named officer or man .

Counter-signature of officer .

(*u*) See pp. 77, 88—90, *supra*.

(2)

Army Form .

REPRESENTATION OF THE PEOPLE ACT, 1918.

Unit and Arm of the Service .
Regimental Number* . Rank .
Surname .
Christian Names (in full) .
Age (on 15th April, 1918) .
Qualifying Address, that is, full postal address (including the County, or in London the Metropolitan Borough) where officer or soldier would have been residing but for his service in the Forces .
The foregoing particulars are true and accurate to the best of my knowledge and belief.
Signature of above-named officer or soldier .
Counter-signature of officer .

* To be struck out in the case of an officer.

(3)

Air Force Form .

REPRESENTATION OF THE PEOPLE ACT, 1918.

Unit .
Official number . Rank .
Surname .
Christian Names (in full) .
Age (on 15th April, 1918) .
Qualifying Address, that is, full postal address (including the County, or in London the Metropolitan Borough) where officer or airman would have been residing but for his service in the Forces .
The foregoing particulars are true and accurate to the best of my knowledge and belief.
Signature of above-named officer or airman .
Counter-signature of officer .

(4)

MEN (not in H.M. Forces) serving abroad or afloat in connection with the War.

REPRESENTATION OF THE PEOPLE ACT, 1918.

Department, Body or Association under which serving .
Class of work on which engaged .
Surname .
Christian Names (in full) .
Age (on 15th April, 1918) .
Qualifying Address, that is, full postal address (including the County, or in London the Metropolitan Borough) where man would have been residing if not serving abroad or afloat in connection with the War .
Address for postal communications .

The foregoing particulars are true and accurate to the best of my knowledge and belief.

Signature of above-named man .

Counter-signature of representative of Department, Body or Association under which the above-named is serving .

(5)

Merchant Seamen, Pilots or Fishermen serving abroad or afloat in connection with the War.

REPRESENTATION OF THE PEOPLE ACT, 1918.

Nature of Service (*i.e.*, whether Merchant Seaman, Pilot, or Fisherman, &c.) .

Name of Vessel .

Surname .

Christian Names (in full) .

Age (on 15th April, 1918) . Description and number of certificate (if any) .

Qualifying Address, that is, full postal address (including the County, or in London the Metropolitan Borough) where man would have been residing if not serving abroad or afloat in connection with the War .

Where a man has not given up his residence owing to his service, he should write below the qualifying address the words "actual residence."

Address for postal communications .

The foregoing particulars are true and accurate to the best of my knowledge and belief.

Signature of above-named man .

Counter-signature of representative of Board of Trade, Pilotage Authority, or Board of Agriculture and Fisheries, as case may be, and name of place .

B.—BY WOMEN.

(6)

Army Form .

WOMEN serving with the Military Forces.

REPRESENTATION OF THE PEOPLE ACT, 1918.

Unit .

Service description and regimental number if any .

Surname .

Christian Names (in full) .

State if over 30 years of age (on 15th April, 1918) .

Description of qualifying property (dwelling-house, shop, land, &c.) .

Rental value (if not a dwelling-house) .

Full postal address of qualifying property (including the County, or, in London, the Metropolitan Borough) .

The foregoing particulars are true and accurate to the best of my knowledge and belief.

Signature of above-named woman .

Counter-signature of Officer or Administrator .

(7)

Air Force Form .

Women Serving with the Air Force.

Representation of the People Act, 1918.

Unit .

Service description and number if any .

Surname .

Christian Names (in full) .

State if over 30 years of age (on 15th April, 1918) .

Description of qualifying property (dwelling-house, shop, land, &c.) .

Rental value (if not a dwelling-house) .

Full postal address of qualifying property (including the County, or, in London, the Metropolitan Borough) .

The foregoing particulars are true and accurate to the best of my knowledge and belief.

Signature of above-named woman .

Counter-signature of Officer or Administrator .

(8)

Women serving abroad or afloat in connection with the War.

Representation of the People Act, 1918.

Body or Association under which serving .

Class of work on which engaged .

Surname .

Christian Names (in full) .

State if over 30 years of age (on 15th April, 1918) .

Description of qualifying property (dwelling-house, shop, land, &c.) .

Rental value (if not a dwelling-house) .

Full postal address of qualifying property (including the County, or, in London, the Metropolitan Borough) .

Address for postal communications .

The foregoing particulars are true and accurate to the best of my knowledge and belief.

Signature of above-named woman .

Counter-signature of representative of Body or Association under which the above-named is serving .

VI. FORM OF CLAIM TO BE PLACED ON ABSENT VOTERS' LIST.

FIRST SCHEDULE, RULE 16 (*x*).

REPRESENTATION OF THE PEOPLE ACT, 1918.

To the registration officer for the constituency of .

Address .

I, being a person entitled to be registered as a parliamentary elector for the above constituency in respect of qualifying premises at* , hereby claim to be placed upon the absent voters' list on the ground that there is a probability that owing to my occupation [service] [employment] as I shall be debarred from voting at a poll at parliamentary elections held whilst the register now being prepared is in force.

Signed .

Address .

Date .

* Here give postal address, stating registration unit where possible.

VII. FORMS OF NOTICE OF APPEAL.

FIRST SCHEDULE, RULE 29 (*y*).

(1)

NOTICE TO REGISTRATION OFFICER OF APPEAL AGAINST HIS DECISION.

REPRESENTATION OF THE PEOPLE ACT, 1918.

To the registration officer for .

Address .

I hereby give notice of appeal against your decision* on the following grounds:—†

Signed .

Address .

Date .

* Give particulars of decision, *e.g.*, "refusing to enter my name on the Register of Parliamentary Electors," &c.

† Here insert grounds of appeal.

(*x*) For this Rule, see p. 345, *supra*.

(*y*) For this Rule, see p. 350, *supra*.

(2)

NOTICE OF APPEAL TO THE OPPOSITE PARTY.

REPRESENTATION OF THE PEOPLE ACT, 1918.

To .

Address .

I hereby give you notice of appeal against the decision of the Registration Officer for*
on the following grounds:—†

Signed .

Address .

Date .

* Give particulars of decision, *e.g.*, "allowing your claim to be entered on the register as a Parliamentary elector," &c.

† Here insert grounds of appeal.

VIII. FORM OF REQUISITION FOR A CERTIFIED COPY OF ENTRY OF BIRTH.

FIRST SCHEDULE, RULE 38 (*z*).

REPRESENTATION OF THE PEOPLE ACT, 1918.

Requisition for a certified copy of entry of Birth under Rule 38 *of the First Schedule.*

To the Superintendent Registrar or other person having the custody of the Register Book in which the Birth of the undermentioned person is recorded.

I, the undersigned, hereby demand for the purpose of the Representation of the People Act, 1918, a certified copy of the entry of the Birth of the person in relation to whom particulars are given below.

Name of person in full .

Date of Birth.—The day of one thousand hundred and . (The year to be written in words, not figures.)

Place of Birth .

Father's Name (in full) .

Father Occupation .

Mother's Name (in full) .

Mother's Maiden Surname .

Signature of Applicant .

Address .

Dated this day of , 19 .

(*z*) For this Rule, see p. 353, *supra*.

IX. FORM OF REGISTER (*a*).

Division I. contains the names of those persons who are entitled to vote both as parliamentary electors and as local government electors.

Division II. contains the names of those persons who are entitled to vote as parliamentary electors but not as local government electors.

Division III. contains the names of those persons who are entitled to vote as local government electors but not as parliamentary electors.

Note.—†Persons against whose names the mark † is placed are not entitled to vote in respect of that entry at elections of County Councillors.

‡Persons against whose names the mark ‡ is placed are not entitled to vote in respect of that entry at elections of Rural District Councillors *or* Guardians.

§Persons against whose names the mark § is placed are not entitled to vote in respect of that entry in the case of a Borough, Metropolitan Borough *or* Urban District at elections for Borough or District Councillors as the case may be, and in the case of a Parish at elections for Parish Councillors or at Parish Meetings.

*Persons against whose names the mark * is placed will vote at another polling place at Parliamentary Elections.

*a*Persons against whose name the letter *a* is placed are absent voters.

In the fourth column the following abbreviations are used:—

R. = Residence qualification.
B.P. = Business premises qualification.
O. = Occupation qualification.
H.O. = Qualification through husband's occupation.
N.M. = Naval or military voter.

DIVISION I.—Persons entitled to Vote as Parliamentary Electors and as Local Government Electors.

Constituency .
Registration Unit .
Polling District .

(1)	(2)	(3)	(4) Nature of Qualification.	
Number.	Names in full. Surname first.	Residence or Property Occupied and Abode of Non-resident Occupier.	Parliamentary.	Local Govt.

(*a*) See Rule 2, pp. 339—340, *supra*.

DIVISION II.—Persons entitled to Vote as Parliamentary Electors only.

(1) Number.	(2) Names in full. Surname first.	(3) Residence or Property Occupied and Abode of Non-resident Occupier.	(4) Nature of Qualification.

DIVISION III.—Persons entitled to Vote as Local Government Electors only.

(1) Number.	(2) Names in full. Surname first.	(3) Residence or Property Occupied and Abode of Non-resident Occupier.	(4) Nature of Qualification.

No. 2.

DIRECTIONS GIVEN BY THE LOCAL GOVERNMENT BOARD TO REGISTRATION OFFICERS PURSUANT TO SECTION 13 (1) (z).

R. P. 2.

LOCAL GOVERNMENT BOARD,
Whitehall, S.W.1.
20th March, 1918.

SIR,

I am directed by the President of the Local Government Board to enclose copies of an Order in Council (*a*) which has been made under section 46 (2) of the Representation of the People Act, 1918, altering, in connection with the first register, the registration dates fixed in the First Schedule of the Act and the dates governing the qualifying period fixed by Sections 6 and 11 of the Act, and of an Order in Council (*b*) made under Section 13 (2) of the Act prescribing certain Forms to be used for registration purposes.

It will be seen that the qualifying period for the first register will be the six months ending on the 15th April next and that the register will come into force on the 1st October next. The effect is to extend considerably the period for the preparation of that register beyond the time allowed by the Rules in the First Schedule for the preparation of a normal register. The periods fixed by the Rules for various stages in the preparation of the electors lists and registers are correspondingly extended.

DUTIES OF REGISTRATION OFFICERS.

The duty of compiling the registers for a parliamentary county or borough and of placing or causing to be placed therein the names of persons entitled to be registered as parliamentary electors and as local government electors is imposed on the Registration Officer, and it will be the duty of the Registration Officer to comply with any general or special directions given by the Local Government Board with respect to the arrangements to be made by him for carrying out his duties (S. 13) (*c*).

The Board propose to deal in this Circular with matters immediately concerned with the preparation of the electors lists. They feel that the procedure to be adopted in each registration area must to some extent depend on local circumstances, and they do not at the present time regard any specific instructions to the Registration Officers as necessary. Mr. Hayes Fisher

(*z*) See p. 133, *supra*.
(*a*) For this Order in Council, see pp. 613—614, *infra*.
(*b*) For this Order in Council, see pp. 555—578, *supra*.
(*c*) See p. 133, *supra*.

desires, however, to refer to Rule 6 (*d*) in the First Schedule, which requires the Registration Officer to cause a house to house, or other sufficient inquiry, to be made for the purpose of ascertaining the names of persons entitled to be registered. In connection with this subject attention is called to the observations in the memorandum of instructions to overseers (*e*), as to the utilisation of Form A. prescribed by the Order in Council.

It will be observed that by Rule 36 (*f*) the Registration Officer, subject to any directions given by the Board, has access to the national register compiled under the National Registration Act, 1915. The Board have no doubt that the Clerk to the Local Registration Authority will give any necessary assistance for the purpose of supplementing the information obtained by the persons making the above-mentioned inquiry, or otherwise for facilitating the preparation of the electors lists and register, and the Board do not at present think it necessary to give any specific directions in the matter. It is, however, desirable that where the register is not in the charge of the Registration Officer, and access to it is desired for the overseers or other persons engaged in preparing the lists, he should himself arrange with the Clerk to the Local Registration Authority as to the times when and manner in which reference may be made to the register.

Certificates of Birth and Statutory Declarations.

Under Rule 37 (*g*) in Schedule 1, a person before being registered may be required by the Registration Officer to produce a certificate of birth or of naturalisation or to make a statutory declaration that he or she is of the requisite age or is a British subject, as the case may be. The form of requisition (*h*) for a certificate of birth, it will be seen, is prescribed by the Order in Council. Any fee payable in connection with a declaration will be paid by the Registration Officer. Ordinarily, the Board do not think that for the purposes of preparing the electors lists any such requirement should be necessary. If in any special case a certificate of birth or declaration is found necessary, it should only be required under the express direction of the Registration Officer.

Franchises.

Copies of a memorandum (*k*) as to the franchises created by the new Act are enclosed. The new parliamentary franchises take the place of all parliamentary franchises existing at the time of the passing of the Act, and the new local government franchises take the place of all local government franchises existing at the time of the passing of the Act so far as respects

(*d*) For this Rule, see p. 341, *supra*.
(*e*) For this memorandum, see pp. 597—609, *infra*.
(*f*) For this Rule, see p. 352, *supra*.
(*g*) For this Rule, see pp. 352—353, *supra*.
(*h*) For this Form, see p. 576, *supra*.
(*k*) See pp. 589—596, *infra*.

elections for county councils, municipal borough councils, metropolitan borough councils, district councils, boards of guardians, parish councils, and any other bodies elected at the time of the passing of the Act by persons on the local government register of electors or on the register of parochial electors.

Some points in which the new franchises differ from those hitherto in force may be mentioned:—

Woman suffrage.—Women are for the first time admitted to the parliamentary franchise, and their rights to the local government franchise are considerably enlarged.

Naval or military voters.—A new class of electors is created, termed naval or military voters, whose qualifications, etc., are explained in the memorandum (*l*).

Period of qualification.—The period of qualification for both the parliamentary franchise and the local government franchise is shortened from twelve months to six months, and there will be normally two periods of qualification in each year, namely, the period of six months ending on the 15th of January and the period of six months ending on the 15th of July, including in each case the fifteenth day. In the case of naval or military voters and persons who have served as members of the naval or military or air forces of the Crown at any time during the six months of the qualifying period and have ceased to serve, the period of qualification is further shortened to one month. **For the purposes of the preparation of the first register under the Act, the qualifying period will be the six months ending on the 15th April, 1918.**

Rating and payment of rates, etc.—No condition as to the rating of qualifying premises or the payment of rates or assessed taxes is any longer imposed.

Lodgers.—The lodger franchise as such disappears for parliamentary purposes, being superseded by the residence qualification. For the local government franchise, however, lodgers are recognised as tenants where they occupy rooms let to them in an unfurnished state.

Receipt of poor relief, etc.—The disqualification for the parliamentary and the local government franchise arising from the receipt of poor relief or other alms is removed.

Order of Names in Register.

The names in the register of a registration unit (*m*) in a parliamentary borough will be arranged in street order unless the Council whose Clerk is the Registration Officer considers, having regard to the general character of the area forming the unit that arrangement to be inapplicable (*n*). If the unit is in a parliamentary county the names will be arranged in alphabetical order unless the Council whose Clerk is the Registra-

(*l*) See pp. 589—596, *infra*.
(*m*) See Rule 1, p. 339, *supra*.
(*n*) See Rule 4, p. 340, *supra*.

tion Officer considers that arrangement in street order is possible and convenient (*n*).

In many municipal boroughs and urban districts in a county, arrangement of the names in street order will no doubt be the most convenient method, and in some parliamentary boroughs there may be registration units where the names can only be arranged in alphabetical order. You should at once bring such cases to the notice of your Council, so that the necessary direction may be given as early as practicable with a view to the electors lists being prepared with the names in the order considered to be appropriate.

Employment of Overseers.

The Registration Officer may require the overseers of a parish to prepare on his behalf the electors lists for the parish or for any registration unit forming part of the parish, and to make the necessary inquiries for the purpose and to publish the lists (Schedule 1, Rule 7) (*o*). In the case of many parishes, especially those in parliamentary counties, the Registration Officer will probably find it convenient to require the overseers to make out the lists. Copies of a memorandum of instructions (*p*) are enclosed which will be available for supply to the overseers, assistant overseers, and other persons employed in making out the electors lists, and can also be supplied to persons employed by the Registration Officer where he himself prepares the electors lists.

The instructions are intended as a general guide, and the Registration Officer will supplement them in such particulars as he may think desirable.

He should particularly inform the persons preparing the lists of any case in which there is a departure from the general rule that the lists of a registration unit in a parliamentary borough are to be made out in street order and in a parliamentary county in alphabetical order (*q*).

Any direction given to the overseers to prepare the lists should indicate that the assistant overseer or rate collector or vestry clerk should be employed. In this connection it will be borne in mind that an assistant overseer or other officer who, being in office at the time of the passing of the Act, suffers any direct pecuniary loss in consequence of the Act is entitled to claim compensation under Section 18 (*r*), in accordance with the applied provisions of Section 120 of the Local Government Act, 1888. The compensation will be payable as registration expenses under the Act. Where the Registration Officer does not call upon the overseers to prepare the lists, and the assistant overseer or other officer who previously received remuneration for registration work is prepared to do the work, Mr. Hayes Fisher

(*n*) See Rule 4, p. 340, *supra*.
(*o*) For Rule 7, see pp. 341—342, *supra*.
(*p*) See pp. 597—609, *infra*.
(*q*) See preceding page.
(*r*) See pp. 148—149, *supra*.

is of opinion that such officer should be employed, unless there are special reasons for not utilising his services. Even where the assistant overseer or other officer has not received special remuneration for registration work in the past, it is desirable that he should be employed, wherever practicable, to assist the Registration Officer. If the Registration Officer wishes that the overseers should do the work and there is no assistant overseer, etc., of the parish, or such officer has been called up for military service, it will be open to the Registration Officer to employ some person to assist the overseers or authorise them to employ a suitable person (*s*).

Registration Expenses.

By Section 15 (1) (*t*) of the Act the expenses incurred by the Registration Officer, including charges for his trouble, care and attention in the performance of his duties will be paid by the Council whose Clerk is the Registration Officer, subject to such contributions by the Councils of other areas included in the registration area, as the Board may direct; and under sub-section (4) of the section one half of the amount so paid by the Council is to be paid out of moneys provided by Parliament.

Any reasonable expenses incurred by overseers (including the remuneration of the assistant overseer or other paid officer) are to be paid by the Registration Officer as part of his registration expenses (*s*).

The Treasury are empowered by sub-section (2) of Section 15 (*v*) to frame a scale of registration expenses applicable to all or any class or classes of those expenses, and to alter the scale as and when they think fit. Any expenses to which a scale so framed is applicable are to be deemed to have been properly incurred if they do not exceed the amount fixed by the scale, or if being in excess of that amount such excess is specially sanctioned by the Council and the Treasury. With regard to expenditure to which no scale framed by the Treasury is applicable any question as to whether the expenditure has been properly incurred is to be determined by the Board.

In accordance with the provision above mentioned, the Treasury have framed a scale (*x*) indicating the maximum expenditure which may be incurred by the Registration Officer in respect of his own fees and the fees payable to any Deputy appointed by him, and in respect of the remuneration of the clerks, assistant overseers and other persons engaged in connection with the preparation of the lists and registers. Copies of the scale (*x*) are enclosed, and it will be observed that it is to apply only to the first two registers.

The Council, if they think fit, may make to the Registration Officer an advance of such amount and on such conditions as

(*s*) See Rule 7, pp. 341—342, *supra*.
(*t*) See pp. 139, 140, *supra*.
(*v*) See pp. 140, 141, *supra*.
(*x*) For this Scale, see pp. 610—612, *infra*.

they may approve (*y*). Such an advance will generally be required in order to meet current expenses such as remuneration of temporary clerks and canvassers, cost of stationery, postage, travelling expenses, etc. The Board cannot express any opinion as to the amount of the advance which will be needed, as this will depend on the circumstances of each case, but no advance will be necessary to cover the cost of printing the lists and registers under the contracts made by the Stationery Office or of the forms or other matter supplied by that Department under the arrangements subsequently described.

In view of the great need for economy at the present time it is hoped that Registration Officers will endeavour to avoid any expenditure that is not strictly necessary, and in particular that they will as far as possible be able to arrange with the consent of their Council for the free use of their existing office accommodation. Where, however, the hiring of additional offices is unavoidable the cost of these may be defrayed as part of the Registration Officer's out-of-pocket expenditure.

As regards the accounts which should be kept of the registration expenses, instructions (*z*) will be issued to Registration Officers by the Treasury. In the meantime each Registration Officer should keep complete and accurate records of the various items of expenditure with vouchers, and he should instruct the overseers to do so likewise if the electors lists are prepared by them.

Printing Arrangements.

A most important item of expenditure in connection with the registration of the electors, half of which will be borne by the State, is the cost of printing the electors lists and registers, and the supply of various forms which will be provided by the Stationery Office, and the following arrangements have been made by the Stationery Office with the consent of the Treasury:—

The Stationery Office will supply direct to the Registration Officer such copies of prescribed forms as they require. Immediately Form A. (*a*) has been printed off, a supply, based on the approximate number of electors in each registration area, will be sent to the Registration Officer for distribution to the overseers or other officers engaged in the work of preparing the lists. Copies of Form B. (*b*) and Form C. (*c*) prescribed by the Order in Council will be sent on demand, together with sheets for the purpose of entering therein the requisite particulars of persons entitled to be registered.

It is essential that the greatest economy should be exercised in regard to use of paper, and the Board do not think that it should be necessary to furnish special books for the purpose of inquiries, especially if Forms A. are personally left and called

(*y*) See sect. 15 (5), p. 141, *supra*.

(*z*) These Instructions have not, up to the time of going to press, been issued.

(*a*) For this Form, see pp. 556—560, *supra*.

(*b*) For this Form, see pp. 560—561, *supra*.

(*c*) For this Form, see p. 561, *supra*.

for, when any necessary explanations can be given to assist persons in completing them. These forms filled up by householders, occupiers, etc., together with any particulars obtainable from the rate books, will be the main source of information required in preparing the lists, and if a house to house service and collection of the returns is systematically made to ensure that all occupiers receive and fill up Form A. the Board would not anticipate any need for supplying books or stationery beyond what each officer should himself have available for the purpose. Small memorandum books or sheets in block form can, however, be supplied by the Stationery Office if desired.

Copies of the memorandum of instructions to overseers (*d*), and of the memorandum as to franchises (*e*) will be obtainable from the Stationery Office on demand indicating the quantities required. In addition to prescribed forms, it is contemplated that the Stationery Office will supply forms for various purposes required by Registration Officers. A list of the forms to be supplied will be sent to each Registration Officer in due course.

As regards the printing of the electors lists and register, it is the intention that these will not be printed independently, but that in every case the type used for printing the lists should stand, and at a later stage be used for printing the register. The Stationery Office will enter into the contracts with the local printers on behalf of the Registration Officer, who will in this respect be in the same position as a Government Department whose printing is done through the Stationery Office. The period of the contract is proposed to be from the date of acceptance until the completion of the first of the half-yearly registers made in the year 1920, and in the discretion of the Controller of the Stationery Office the period may be extended up to the completion of the first register of 1922.

Forms of contract will be prepared by the Stationery Office and supplied to the Registration Officer, and on receipt of these the Registration Officer should at once take steps to publish as widely as possible, by advertisement or otherwise, that tenders may be made to him for the printing of the lists and registers. When the tenders are received they should be forwarded to the Stationery Office by the Registration Officer with any observations he wishes to make as to the merits of the tenders. In forwarding the tenders the Registration Officer should inform the Stationery Office of the number of copies estimated to be required of the lists and register respectively, the number being kept as low as practicable. In fixing the number of copies of the register it would, of course, be considered whether, in view of the use of the several divisions for parliamentary and local government elections, as the case may be, a greater number of copies will be required by Division I. (*g*). Looking to the large amount of work which the printing will involve and the limited

(*d*) For this memorandum, see pp. 597—609, *infra*.
(*e*) For this memorandum, see pp. 589—596, *infra*.
(*g*) For form of register, see pp. 577—578, *supra*.

time for its execution, it will probably be necessary in most constituencies that the printing should be divided amongst several printers, so as to secure the expeditious printing of the lists and registers. The tender form will therefore be so drawn that a printer may tender for part of the lists and register for a constituency, but each part tendered for should comprise a substantial section of the register. It will, of course, be open to any printer to tender for as many complete sections as he will be in a position to undertake.

The contract will cover the printing of the lists of absent voters, as well as the electors lists and register. The printer will not bind any portion of the matter printed by him, but he will stitch or wire together the sheets belonging to each registration unit, or the sheets belonging to each division of the registration unit, as the Registration Officer may think most convenient. The Registration Officer may, however, arrange for two copies of the complete register of each constituency to be bound, one bound copy being for his own use and the other for transmission to this Department.

The contract will also provide for printing the lists of claims (*h*) and objections (*i*) if the Registration Officer requires this. It will be in the discretion of the Registration Officer to arrange for these lists being printed elsewhere if convenient, but in cases where the lists are very short, typed copies would suffice.

The Registration Officer will himself arrange for any printing work considered to be necessary and not done or supplied by the Stationery Office, and he will also procure stationery, etc., required for carrying out his duties.

The Stationery Office will supply all paper for the lists and registers printed under contract with them, and the printers will account to the Stationery Office for its use. The Stationery Office will not supply paper for printing not done under the contract.

The Registration Officer will realize that the arrangements undertaken by the Stationery Office are to facilitate the printing under the exceptional conditions prevailing, and that he will not be relieved of his responsibility for the proper preparation of the lists and registers. It will be provided for in the contract that the printer must comply with the directions of the Registration Officer as to time for receiving proofs, corrections, etc., and he will be required to deliver to the Registration Officer prints in the various stages as may be needed.

The Registration Officer will make his own arrangements as to the manuscript lists being sent on direct from the overseers to the printer or through him, but the Board would suggest that he should in every case inspect such lists before they are forwarded to the printer. In any case the overseers should retain the draft or a copy of the lists so as to avoid delay

(*h*) See Rule 11, p. 343, *supra*.
(*i*) See Rule 15, p. 344—345, *supra*.

which might occur through loss or miscarriage. It will probably be found convenient to provide for parts of the lists as soon as prepared to be sent at once to the printer, so that the printer may be able to proceed with the work and not wait for the whole of the draft lists he has undertaken to print. In connection with this, see paragraph 6 (*k*) in the instructions to overseers.

Appointment of Deputy Registration Officers.

Section 12 (3) (*l*) of the Act provides that any of the duties and powers of the Registration Officer may be performed and exercised by any Deputy for the time being approved by the Board. It is desirable that the Registration Officers should as early as practicable consider to what extent they will require to employ deputies, and inform the Board of their proposals. In many registration areas there will be no necessity to appoint deputies, but in the case of registration areas comprising a number of constituencies the employment of some deputies may be needed. In connection with the number of deputies to be appointed, it will be seen from the scale of registration expenses (*m*) fixed by the Treasury that the fee provided for the remuneration of the Registration Officer includes the remuneration of any deputy appointed by him. The actual fee payable to any deputy will be a matter for arrangement between the Registration Officer and the deputy. Subject to any particular duties which the Registration Officer may prefer to retain under his own control, it would seem a convenient arrangement that the deputy should be appointed for a constituency or constituencies, and Mr. Fisher would not, as a general rule, be willing to approve of the appointment of a deputy for an area less than an entire constituency.

Mr. Fisher thinks it desirable that, where it is proposed to employ a deputy, the clerk to some one of the larger authorities of the local government areas situate in the constituency or constituencies should be the deputy for the whole of the constituency or constituencies, but where a clerk proposed to be appointed is a whole time officer of a local authority, the consent of the authority to his acting as a deputy must be obtained.

Any application to the Board for the approval of a deputy should specify the area for which he is to act, and the precise duties to be delegated to him, and, where the deputy is a whole time officer of an authority, should indicate that the consent of the authority has been obtained.

In a further circular which will be sent as soon as possible, the Board propose to refer to the procedure to be adopted by Registration Officers in dealing with claims and objections and otherwise in making up the register, and to various other matters such as the period for keeping documents published and fees chargeable for supply of copies of lists, etc.

(*k*) P. 601, *infra*.
(*l*) See pp. 130—131, *supra*.
(*m*) See pp. 610—612, *infra*.

Mr. Fisher realises that the new Act imposes upon Registration Officers much responsibility and a considerable amount of work which in present conditions can only be carried out under difficulties, but he feels confident that, in view of the importance of securing that the new Register shall be as complete and accurate as possible, the Registration Officer will use every effort to promote the smooth and efficient working of the machinery provided by the Act.

I am, Sir,
Your obedient servant,
(Signed) H. C. Monro,
Secretary.

To
The Registration Officer.

No. 3.

MEMORANDUM (*a*) AS TO THE FRANCHISES CREATED BY THE PRESENT ACT.

R. P. 6.

PARLIAMENTARY AND LOCAL GOVERNMENT FRANCHISES.

Definitions.

A person's age is that person's age on the last day of the qualifying period (*b*).

The expression "qualifying period" means the period of six months ending in the case of the first register on the 15th April, 1918 (*c*), and in the case of registers in subsequent years on the 15th day of January (*d*) or the 15th day of July (*d*), including in each case the fifteenth day, but in the application of this expression to a person who is a naval or military voter, or who has been serving as a member of the naval, military or air forces of the Crown at any time during the period of such six months, and has ceased so to serve, one month is to be substituted for six months (*e*).

The expression "constituency" means any county, borough, or combination of places, or university, or combination of universities, returning a member to serve in Parliament; and where a county or borough is divided for the purpose of parliamentary elections means a division of the county or borough so divided (*f*).

The expression "local government electoral area" means the area for which any county council, municipal borough council, metropolitan borough council, district council, board of guardians, parish council, or any other body elected at the time of the passing of the Act by persons on the local government register or on the register of parochial electors is elected (*g*).

The "yearly value" of land or premises is to be taken to be the gross estimated rental, or in the metropolis the gross value, where those premises are separately assessed to rates and in any other case is to be deemed to be the amount which would in the opinion of the registration officer be the gross estimated rental or gross value, as the case requires, if they were separately assessed (*h*).

(*a*) This memorandum was sent by the Local Government Board to Registration Officers together with the Directions set out on pp. 579—588, *supra*, and is referred to in such Directions at pp. 580 and 585, *supra*.
(*b*) See p. 4, *supra*.
(*c*) See pp. 128—129, *supra*.
(*d*) See sect. 6, p. 94, *supra*.
(*e*) See sect. 6, p. 94, *supra*.
(*f*) See sect. 41 (1), p. 305, *supra*.
(*g*) See sect. 41 (2), pp. 305—306, *supra*.
(*h*) See sect. 41 (9), pp. 307—308, *supra*, and pp. 28—33, 68—70, *supra*.

The expression "dwelling house" includes any part of a house where that part is occupied separately as a dwelling house (*i*).

PARLIAMENTARY FRANCHISE (MEN).

1. A man is entitled to be registered as a parliamentary elector for a constituency if he is a British subject of full age and not subject to any legal incapacity and has either—

(i) The requisite residence qualification, or

(ii) The requisite business premises qualification (*k*).

2. *Residence Qualification.*—In order to have this qualification a man—

(a) Must, on the last day of the qualifying period,* be residing in premises in the constituency, and

(b) Must, during the whole of the qualifying period,* have resided in premises in the constituency (*l*), subject, however, to the provisions in regard to successive residence hereinafter mentioned. (See paras. 17 and 19.)

3. A man, who is an inmate or patient in any prison, lunatic asylum, workhouse, poorhouse, or any other similar institution, is not to be treated as resident therein for the purposes of this qualification (*m*).

4. *Business Premises Qualification.*—In order to have this qualification a man—

(a) Must, on the last day of the qualifying period,* be occupying business premises in the constituency, and

(b) Must, during the whole of the qualifying period,* have occupied business premises in the constituency (*n*), subject, however, to the provisions in regard to the successive occupation of premises hereinafter mentioned. (See para. 17.)

5. The expression business premises means land or other premises of the yearly value of not less than £10, occupied for the purpose of the business, profession, or trade of the person to be registered (*o*).

PARLIAMENTARY FRANCHISE (WOMEN).

6. A woman is entitled to be registered as a parliamentary elector if she is a British subject, and has attained the age of 30 years and is not subject to any legal incapacity and has the requisite qualification (*p*).

7. In order to have the requisite qualification, which is based

* N.B.—In the case of the first register the qualifying period is the six months ending on the 15th April, 1918.

(*i*) See sect. 41 (8), p. 307, *supra*, and pp. 49—54, 70, *supra*.
(*k*) See sect. 1, pp. 1—3, *supra*.
(*l*) See pp. 9—24, *supra*.
(*m*) See sect. 41 (5), p. 306, *supra*.
(*n*) See pp. 24—37, *supra*.
(*o*) See pp. 28—36, *supra*.
(*p*) See sect. 4 (1), p. 63, *supra*.

on such occupation in a constituency of land or premises as confers the local government franchise, the woman or (if she is married and is not herself the occupying owner or tenant) her husband:—

(a) Must on the last day of the qualifying period* be occupying as owner or tenant land or premises (other than a dwelling house) of a yearly value of not less than £5, or a dwelling house, and

(b) Must during the whole of the qualifying period* have so occupied land or premises (other than a dwelling house) of the yearly value of not less than £5, or a dwelling house (*q*).

8. For the purposes of this franchise the following points should be noted:—

(i) A dwelling house may be part of a house if such part is occupied separately as a dwelling house (*r*).

(ii) A lodger is not to be considered as a tenant unless the lodging is let to her or him in an unfurnished state (*s*).

(iii) A person who inhabits a dwelling house, as above defined, by virtue of any office, service, or employment is, if the dwelling house is not inhabited by the person in whose service she or he is in such office, service or employment, deemed to occupy the dwelling house as a tenant (*t*).

Special Parliamentary Franchise for Naval or Military Voters.

9. A naval or military voter may be a man or a woman who is engaged in such service as hereinafter mentioned, and will be entitled to be registered as a parliamentary elector for any constituency for which he or she would have had the necessary qualification but for his or her service. A naval or military voter must be a British subject and must, if a man, at the commencement of his service have attained, or during his service attain, the age of 19 years, and, if a woman, must have attained the age of 30 years, and in either case must not be subject to any legal incapacity (*u*).

10. In order to rank as a naval or military voter a person must—

(i) be serving on full pay as a member of any of the naval, military, or air forces of the Crown, or

(ii) be abroad or afloat in connection with any war in which His Majesty is engaged, and be:—

(a) in service of a naval or military character for

* N.B.—In the case of the first register the qualifying period is the six months ending on the 15th April, 1918.

(*q*) See pp. 68—72, *supra*.
(*r*) See sect. 41 (8), p. 307, *supra*, and pp. 49—54, 70, *supra*.
(*s*) See p. 69, *supra*.
(*t*) See pp. 69, 49—56, *supra*.
(*u*) See sect. 5 (1) and (3), p. 76—79, *supra*.

which payment is made out of moneys provided by Parliament, or (where the person serving was at the commencement of his or her service resident in the United Kingdom) out of the public funds of any part of His Majesty's Dominions, or in service as a merchant seaman, pilot, or fisherman, including the master of a merchant ship or fishing boat and an apprentice on such a ship or boat, or

(b) serving in any work of the British Red Cross Society, or the Order of St. John of Jerusalem in England, or any body with a similar object, or

(c) serving in any other work recognised by the Admiralty, Army Council, or Air Council, as work of national importance in connection with the war (*x*).

11. The right of a naval or military voter to be registered as a parliamentary elector is to be in addition to any other right to be registered (*y*). But a male naval or military voter is not to be entitled to be registered for a constituency in respect of an actual residence qualification in the constituency except on making a claim for the purpose, accompanied by a declaration in the prescribed form, that he has taken reasonable steps to prevent his being registered as a naval or military voter for any other constituency (*z*).

12. The statement of any person, made in the prescribed form and verified in the prescribed manner that he or she would have had the necessary qualification in a constituency but for the service which entitled him or her to rank as a naval or military voter is to be sufficient for all purposes of such qualification if there is no evidence to the contrary (*a*).

Local Government Franchise.

13. A man or woman is entitled to be registered as a local government elector for a local government electoral area if he or she is a British subject of full age and not subject to any legal incapacity and has the requisite qualification (*b*).

14. In order to have the requisite qualification the man or woman:—

(a) must on the last day of the qualifying period* be occupying as owner or tenant land or premises in the local government electoral area, and

(b) must during the whole of the qualifying period* have so occupied land or premises in the local government electoral area (*c*), subject, however, to the provisions in

* N.B.—In the case of the first register the qualifying period is the six months ending on the 15th April, 1918.

(*x*) See sect. 5 (3), and pp. 82—85, *supra*.
(*y*) See pp. 91, 92, *supra*.
(*z*) See sect. 5 (1), and pp. 91—93, *supra*.
(*a*) See sect. 5 (2), and pp. 88—90, *supra*.
(*b*) See as to men, sect. 3, pp. 40, 41, *supra*, and as to women, sect. 4 (3), pp. 64, 65, *supra*.
(*c*) See as to men, pp. 43—62, *supra*, and as to women, p. 74, *supra*.

regard to the successive occupation of land or premises as hereinafter mentioned. (See paras. 18 and 19.)

15. A woman who has attained the age of 30 years, and is not subject to any legal incapacity, will be entitled to be registered as a local government elector where she is the wife of a man who is entitled to be registered as a local government elector in respect of premises in which they both reside, and for this purpose a naval or military voter who is registered in respect of a residence qualification which he would have had but for his service, is to be deemed to be resident in accordance with that qualification (*d*).

16. The expression "tenant" includes a man or woman, who—

(a) himself or herself inhabits any dwelling-house, or part of a house occupied separately as a dwelling-house, by virtue of any office, service, or employment if the dwelling-house or the part so occupied separately is not inhabited by the person in whose service he or she is in such office, service, or employment (*e*), or

(b) occupies a room or rooms as a lodger provided that such room or rooms are let to him or her in an unfurnished state (*f*).

Successive Residence or Occupation.

17. *Parliamentary Franchise.*—A man, though he may have resided in premises or occupied business premises, as the case may be, in the constituency for a part only of the qualifying period, as mentioned in paras. 2 and 4, will, nevertheless, be entitled to be registered as a parliamentary elector if, throughout the remainder of the qualifying period, he resided in premises or occupied business premises, as the case may be, in another constituency within the same parliamentary borough or parliamentary county, or within a parliamentary borough or parliamentary county contiguous to that borough or county, or separated from that borough or county by water, not exceeding at the nearest point 6 miles in breadth, measured in the case of tidal water from low-water mark (*g*). For the purpose of this provision the Administrative County of London is to be treated as a parliamentary borough (*h*).

18. *Local Government Franchise.*—A man or woman, though he or she may have occupied land or premises in the local government area for a part only of the qualifying period, as mentioned in para. 14, will, nevertheless, where the local government area is not an administrative county or county borough, be entitled to be registered as a local government elector, if, throughout the re-

(*d*) See sect. 4 (3) (*b*), and pp. 75, 76, *supra*.
(*e*) See pp. 49—56, *supra*.
(*f*) See pp. 57—61, *supra*.
(*g*) See sect. 1 (2) (*b*), pp. 2, 3, and pp. 23—24, *supra*.
(*h*) See sect. 1 (2) (*b*), p. 3, *supra*.

mainder of the qualifying period, he or she occupied land or premises in any administrative county or county borough in which the local government area is wholly or partly situate (*i*).

19. In connection with the two preceding paragraphs it should be borne in mind that—

(i) A man is not entitled to be registered as a parliamentary elector for a constituency in respect of a residence qualification though he may have been residing in premises in the constituency on the last day of the qualifying period, if he commenced to reside in the constituency within thirty days before the end of the qualifying period, and ceased to reside within thirty days after the time when he so commenced to reside (*k*).

(ii) A man or woman is not entitled to be registered as a local government elector for a local government electoral area though he or she may have been occupying land or premises in the area on the last day of the qualifying period, if he or she commenced to occupy the land or premises within thirty days before the end of the qualifying period, and ceased to occupy the land or premises within thirty days after the commencement of the occupation (*l*).

Joint Occupation.

20. Where land or premises are in the joint occupation of two or more persons, each of the joint occupiers is to be treated as occupying the premises, subject as follows:—

(a) In the case of the business premises qualification for the purpose of the parliamentary franchise the aggregate yearly value of the premises must be not less than the amount produced by multiplying ten pounds by the number of the joint occupiers (*m*); and

(b) In the case of the occupation of land or premises (not being a dwelling-house) the aggregate yearly value thereof must for the purpose of the parliamentary franchise of women be not less than the amount produced by multiplying five pounds by the number of joint occupiers (*n*); and

(c) Not more than two joint occupiers are to be entitled to be registered in respect of the same land or premises, unless they are *bonâ fide* engaged as partners carrying on their profession, trade or business on the land or premises (*o*).

(*i*) See pp. 61, 62, *supra*.
(*k*) See sect. 7 (3), p. 99, *supra*, and pp. 10, 11, *supra*.
(*l*) See sect. 7 (3), and p. 43, *supra*.
(*m*) See sect. 7 (1), p. 98, and p. 37, *supra*.
(*n*) See sect. 7 (1), p. 98, and p. 69, *supra*.
(*o*) See sect. 1, pp. 1—3, sect. 3, pp. 40, 41, 56, 57, 59, sect. 4, pp. 63—65, 69, *supra*.

INTERRUPTION OF RESIDENCE OR OCCUPATION.

21. Residence in a house or the occupation of a house by a person is not to be deemed to be interrupted by reason only of permission being given, by letting or otherwise, for the occupation of the house, as a furnished house, by some other person for part of the qualifying period not exceeding four months in the whole (*p*), or by reason only of notice to quit being served and possession being demanded by the landlord of the house (*q*); but the express enactment of this provision is not to affect in any way the general principles governing the interpretation of the expression "residence" and cognate expressions (*r*).

PROVISIONS AS TO DISQUALIFICATIONS.

22. A person is no longer disqualified from being registered as a parliamentary or local government elector by reason that he or some person for whose maintenance he is responsible has received poor relief or other alms (*s*).

23. A conscientious objector who either—

(a) Has been exempted from all military service (including non-combatant service) on the ground of conscientious objection, or

(b) Having been convicted by a court martial of an offence against military law, and having represented that the offence was the result of conscientious objection to military service, has been awarded imprisonment or detention,

is disqualified during the continuance of the war and a period of five years thereafter from being registered as a parliamentary or local government elector unless before the expiration of one year after the termination of the war he proves to the Central Tribunal as established for the purposes of the Military Service Act, 1916, and obtains from that Tribunal a certificate to the effect—

(i) That he has during the continuance of the war taken up and, so far as reasonably practicable, continued service which constitutes a person (other than a person serving on full pay as a member of the naval, military or air forces of the Crown) a naval or military voter, or

(ii) That, having been exempted from military service on condition of doing work of national importance, he has done such work in accordance with the decision and to the satisfaction of the appropriate tribunal or authority, or

(iii) That, having obtained an absolute exemption from military service without any such condition, he has (whether before or after the 6th February, 1918) been engaged

(*p*) See pp. 16—23, 27, 28, 45, 46, *supra*.
(*q*) See pp. 23, 28, 45, 46, *supra*.
(*r*) See p. 11, *supra*.
(*s*) See sect. 9 (1), pp. 112, 116, 117, *supra*.

in and, so far as reasonably practicable, continued some work of national importance (*t*).

24. If a conscientious objector disqualified as above-mentioned would have been entitled to be registered as a parliamentary or local government elector but for that disqualification, the disqualification is not to extend so as to affect the right of his wife to be registered as a parliamentary or local government elector, as the case may be (*u*).

25. A man or woman is not entitled to be registered as a parliamentary or local government elector, if he or she is not a British subject, and nothing in the Act, except as expressly provided, is to confer on any person, whether a man or a woman, who is subject to any legal incapacity to be registered either as a parliamentary or local government elector, any right to be so registered (*x*).

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(*t*) See sect. 9 (2), pp. 112—114, 117—121, *supra*.
(*u*) See p. 121, *supra*.
(*x*) See sect. 9 (3), pp. 114, 115, 120, 121, *supra*.

No. 4.

MEMORANDUM (*a*) OF INSTRUCTIONS BY REGISTRATION OFFICERS TO OVERSEERS OR OTHER PERSONS ENGAGED IN THE PREPARATION AND PUBLICATION OF THE LISTS OF ELECTORS.

1.—Franchises.

The Statement as to the Parliamentary and Local Government Franchises which accompanies these Instructions will inform you generally as to the persons entitled to be registered as parliamentary and local government electors respectively under the Act.

2.—Inquiries as to Persons entitled to be Registered.

Upon receipt of these instructions you should at once arrange for a survey of the parish or other area (*b*) for which the electors lists will be compiled by you, keeping in view the most convenient way of doing this for the purpose of making out the lists in alphabetical or in street order (*c*), as the case may be. The rate book will be of assistance to you in arranging for this survey. Rule 6 (*d*) of the First Schedule to the Act requires a house to house or other sufficient inquiry to be made, and having regard to the large number of persons who will be entitled to be registered in respect of a residential qualification it is essential that a house to house inquiry should be made in practically all cases. For the purpose of eliciting the necessary information you should supply each householder or occupier with Form A. (*e*) (copies of which will be supplied to you). Where there may be more than one person in occupation of premises, *e.g.*, a house occupied partly as a dwelling-house and partly as business premises, or a house comprising flats, or partly let out as unfurnished rooms, Form A. should be left with each occupier. In some cases, such as a building containing a number of separate dwellings, or suites of offices, it may be necessary to obtain information from the owner or his agent as to the several occupiers, and for

(*a*) This memorandum was sent by the Local Government Board to Registration Officers, together with the Directions set out on pp. 579—588, *supra*, and is referred to in such Directions at pp. 580 and 582, *supra*.
(*b*) See Rule 1, p. 339, *supra*.
(*c*) See Rule 4, p. 340, *supra*.
(*d*) For this Rule, see p. 341, *supra*.
(*e*) For this Form, see pp. 556—560, *supra*.

this purpose a special Form B. (*f*), copies of which may be obtained from me, should be used, so that when information as to these occupiers has been obtained Form A. (*g*) may be left with each of them. This use of Form A. will provide a convenient means of ascertaining the persons resident in or occupying premises who may be entitled to registration either as parliamentary or as local government electors.

Before leaving the Form you should insert in the space for the address the address to which it, if sent by post, is to be returned. A rubber stamp can be conveniently used for this purpose. The spaces showing the date of delivery of the Form, and the number of days within which it, if not called for, is to be returned by post, must also be filled in.

In leaving the Form you should give any explanation you think will assist its being filled up. It should usually be called for, as you will then see whether it has been filled in properly.

In some instances it may be found necessary at a later period to make a formal service of Form A. in accordance with Rule 35 (*h*), but you should communicate with me before making any such formal service explaining the circumstances in which it is needed.

As soon as Form A. (*g*) has been returned to you, and it has been verified so far as may be necessary by the rate book or otherwise, you will be in a position to proceed with the making up of the lists in the manner required for the purpose of forming the register.

3.—Mode of making out Electors Lists.

The electors lists will be made out for each registration unit (*i*) in three divisions (*k*):—

Division I. is to comprise the names of those persons who are entitled to be registered both as parliamentary and local government electors.

Division II. is to comprise the names of those persons who are entitled to be registered as parliamentary electors but not as local government electors.

Division III. is to comprise the names of those persons who are entitled to be registered as local government electors but not as parliamentary electors.

Each parish will be a registration unit (*i*) unless the parish is contained in more than one voting area, that is, any polling district, electoral division, borough and urban district, and any ward of a borough, urban district, or parish, or any other area for which a separate election is held at which the register is to be used. In such a case each part of the parish for which a

(*f*) For this Form, see pp. 560—561, *supra*.
(*g*) For this Form, see pp. 556—560, *supra*.
(*h*) For this Rule, see p. 352, *supra*.
(*i*) See Rule 1, p. 339, *supra*.
(*k*) See Rule 2, pp. 339—340, *supra*.

separate part of the register is required for the purpose of forming the register for each voting area will be a registration unit, and you will make out separate lists for each registration unit.

The names in the lists will be entered in alphabetical order if the registration unit is situated in a parliamentary county, and in street order if the unit is situated in a parliamentary borough (*l*). You will therefore make out the lists accordingly, unless you receive from me directions to the contrary.

You will be supplied with sheets corresponding to the form (*m*) prescribed for the register, and you will enter therein the names of and other particulars required relative to the electors. As a heading to each sheet you will indicate the polling district which forms the registration unit or in which the registration unit is comprised, and give the name of the parish, or if the parish is not the registration unit the description of the unit, and the appropriate Division of the lists. You will receive instructions from me as to the particulars to be inserted in the title page for each unit.

4.—Entries in Lists.

(1) In Column 1 you will not make any entries, nor should any mark be placed against the name of any person unless you receive special direction from me.

(2) In Column 2 you will enter the surname and other name or names of each person in full, the surname being placed first. If the names in the list are to be arranged in street order the names of persons residing or occupying property at the same address as shown in column 3 must be placed in strict alphabetical order.

(3) In Column 3 you will enter the address or description of the premises in which the person resided or of the property occupied by him on the last day of the qualifying period, which is for the purposes of the first register the 15th April, 1918 (*n*). The address of residence or property occupied before that date should not be inserted.

If the person does not reside on the premises you should also enter in this column his or her actual abode, or if he or she has no settled residence the address to which postal communications will be sent. Thus (abode—34, Duke Street, Exeter). In the case of a naval or military voter, however, no such address should be entered.

Where the names are arranged in alphabetical order, the name of the parish should not be inserted as part of the address of the qualifying premises. Where the names are arranged in street order, the name of the street in which is situate the qualifying premises should be inserted as a cross heading, and the name or number of the premises only should be inserted opposite the entry.

(*l*) See Rule 4, p. 340, *supra*.
(*m*) For Form of Register, see pp. 577—578, *supra*.
(*n*) See pp. 613—614, *infra*.

(4) The name of a naval or military voter who is still in occupation of business premises or of premises in which he would be residing but for his service (*o*) should ordinarily be entered in Division I., as he will be a local government voter as well as a parliamentary voter. Otherwise naval or military voters should be entered in Division II. only.

(5) In Column 4 of each Division you will make the necessary entries, showing the nature of the qualification in respect of which persons are entitled to be registered. The various qualifications will be indicated by distinguishing letters, as follows:—

R. = residence qualification.

B.P. = business premises qualification.

O. = occupation qualification.

H.O. = qualification by virtue of a husband's occupation qualification.

N.M. = naval or military voter.

(i) In Division I., Column 4 is sub-divided into two parts for parliamentary and local government purposes respectively.

In the case of a man residing in and occupying the qualifying premises, whether business premises or not, the entries will be R. in the first sub-division and O. in the second.

In the case of a man who is qualified as the occupier of business premises and is not resident in the qualifying premises, the entries will be B.P. in the first sub-division and O. in the second.

In the case of a naval or military voter who is also in occupation of premises, the entries will be N.M. in the first sub-division and O. in the second.

In the case of a woman who is resident with her husband in premises occupied by him or who is the wife of a naval or military voter and would have so resided with her husband but for his service, the entry in each sub-division will be H.O.

In the case of a woman who is herself the occupier of a dwelling-house, or of other property of a yearly value of not less than £5, the entry will be O. in each sub-division.

Where a person resides in a dwelling-house which he occupies by virtue of service, or in lodgings let unfurnished, the entries, respectively, will be, in the case of a man, R. and O., and in the case of a woman, O. and O.

(ii) In Column 4 of Division II. only single entries will be required.

In the case of a man residing in premises, the entry will be R.

In the case of a naval or military voter the entry will be N.M.

In the case of a woman who is the wife of a man occupying land or premises (not being a dwelling-house) of the yearly value of not less than £5, the entry will be H.O.

(iii) The entry in Column 4 of Division III. will ordinarily be O.

(*o*) See pp 86—91, *supra*.

The tables appended (*p*), which give examples as to the compilation of the register, indicate how the several columns are to be filled.

These instructions as to entries in lists must be strictly adhered to.

5.—Naval or Military Voters.

The general scheme for the registration of naval or military voters is explained in the appended memorandum (*q*). In the course of your enquiries you will obtain information as to the persons who appear to be entitled to registration as such voters. You should keep notes of such cases for comparison with the cards which I shall send containing the statements (*r*) made by these persons as to their right to registration, and you will be thus enabled in most cases to place the names in the appropriate Division of the lists. The cards should be returned to me when dealt with. If any difficulty arises in a particular case you should report it to me for further investigation.

6.—Dealing with Manuscript Lists.

If your Parish comprises more than one registration unit (*s*), you are to forward to me the lists for each registration unit as and when those lists are made up, without waiting for the completion of the lists of the whole parish. The draft or a copy of the lists should be retained by you.

The arrangements for printing the lists will be made by me, and you will be informed whether the manuscript lists are to be sent to the printers direct, or through me, and also what work is to be done in the examination and correction of the proofs.

7.—Publication of Lists.

When you receive the final prints of the electors lists relating to your parish, or to any registration unit forming part of the parish, you are to publish those lists (*t*) on my behalf in the parish or registration unit, as the case may be, on or before the 15th June, 1918 (*u*), in the case of the first register, and on or before the 1st February (*x*) and the 1st August (*x*) in the case of registers in normal years. The mode of publication (*y*) will be by making copies available for inspection:—

(i) By depositing* a copy in the chief post office in the parish

* This will be subject to direction by the Postmaster General.

(*p*) See pp. 603—604, *infra*.
(*q*) See pp. 605—609, *infra*.
(*r*) See sect. 5 (2), p. 77, *supra*, and Forms set out on pp. 571—574, *supra*.
(*s*) See Rule 1, p. 339, *supra*, and paragraph 3, pp. 598—599, *supra*.
(*t*) See Rules 6 and 7, pp. 341—342, *supra*.
(*u*) See pp. 613—614, *infra*.
(*x*) See Rule 6, p. 341, *supra*.
(*y*) See Rule 31, pp. 350—351, *supra*.

or registration unit to which the lists relate, or if such deposit cannot be made,

(ii) By depositing a copy in some other convenient place in that parish or registration unit, and

(iii) Exhibiting copies in such other manner as I may instruct you as is desirable for the purpose of bringing the lists to the notice of those interested.

You are also to publish at the same time and in the same manner the corrupt and illegal practices list (*z*) (if any) which will be sent to you.

The lists when published as above-mentioned must be kept so published for †
and if you find any list to be destroyed, mutilated, defaced, or removed you are forthwith to place another copy in its place.

8.—Supply of Forms.

You should be prepared to supply (*zz*) to any persons, who may require them, forms of claim to be registered (*a*) or to be registered correctly (*b*) (as the case may be) in the electors lists and of notices of objection (*c*) to the registration of persons whose names are included in the electors lists, or of persons whose names are included in the list of claimants (*d*), and I will supply you with such number of forms as may be necessary for this purpose.

9.—Further Information.

It will be your further duty at any time to furnish me with any information required by me respecting any persons resident in or occupying land or premises in your parish or the removal of any person from the parish (*e*).

You will keep and furnish to me a record of any cases which you discover in making up the lists of persons possessing duplicate qualifications which may necessitate my striking out the name, or placing a mark against the name, of any such persons in accordance with Rules 2 (*f*) and 23 (*g*) in the First Schedule to the Act.

† The period during which the lists must be kept published will be communicated to you in due course.

(*z*) See Rule 8, p. 342, *supra*.
(*zz*) See Rule 32, p. 351, *supra*.
(*a*) For Forms, see pp. 562—568, *supra*.
(*b*) For Form, see p. 569, *supra*.
(*c*) For Forms, see p. 570, *supra*.
(*d*) For Forms, see pp. 570—571, *supra*.
(*e*) See Rule 7, pp. 341—342, *supra*.
(*f*) For this Rule, see pp. 339—340, *supra*.
(*g*) See pp. 347—348, *supra*.

Table I. (ALPHABETICAL ORDER.)

Division I.

Polling District D., Parish of Corting.

(1) Number.	(2) Names in Full (surname first).	(3) Residence or Property Occupied, and Abode of Non-Resident Occupier.	(4) Nature of Qualification.	
			Parliamentary.	Local Government.
	Brown, Arthur John ..	High Court Farm....	R.	O.
	Carter, Jessica	Rose Cottage, Burley Lane.	H.O.	H.O.
	Carter, William	Do.	N.M.	O.
	Green, Samuel.....	Shop, Church Road. (Abode — 34, Duke Street, Exeter.)	B.P.	O.
	Matthews, Mabel	Stone House	O.	O.
	Smith, Clarence John ..	3, Church Row.....	R.	O.
	Smith, Elizabeth.....	Do.	H.O.	H.O.

Division II.

Polling District D., Parish of Corting.

(1) Number.	(2) Names in Full (surname first).	(3) Residence or Property Occupied, and Abode of Non-resident Occupier.	(4) Nature of Qualification.
	Archer, Henry John..	Bell Inn	R.
	Brown, James Arthur.	High Court Farm	N.M.
	Green, Florence Emily.	Shop, Church Road. (Abode — 34, Duke Street, Exeter.)	H.O.

Division III.

Polling District D., Parish of Corting.

(1) Number.	(2) Names in Full (surname first).	(3) Residence or Property Occupied, and Abode of Non-resident Occupier.	(4) Nature of Qualification.
	Black, Violet Hester..	Orchid Villa	O.
	Jones, Joshua.....	Land — Plough Lane. (Abode — 15, Diamond Terrace, Ilchester.)	O.

TABLE II. (STREET ORDER.)

DIVISION I.

Polling District D., Parish of Corting.

(1) Number.	(2) Names in Full (surname first).	(3) Residence or Property Occupied, and Abode of Non-resident Occupier.	(4) Nature of Qualification.	
			Parliamentary.	Local Government.
	QUEEN STREET—*continued.*			
	Matthews, Mabel	21	O.	O.
	Green, Samuel	22. (Abode—34, Duke Street, Exeter.)	B.P.	O.
	Carter, Jessica	23	H.O.	H.O.
	Carter, William	23	N.M.	O.
	Smith, Clarence John.	24	R.	O.
	Smith, Elizabeth	24	H.O.	H.O.
	Brown, Arthur John..	25	R.	O.

DIVISION II.

Polling District D., Parish of Corting.

(1) Number.	(2) Names in Full (surname first).	(3) Residence or Property Occupied, and Abode of Non-resident Occupier.	(4) Nature of Qualification.
	QUEEN STREET—*continued.*		
	Green, Florence Emily	22. (Abode—34, Duke Street, Exeter.)	H.O.
	Brown, James Arthur.	25	N.M.
	Archer, Henry John..	Bell Inn	R.

DIVISION III.

Polling District D., Parish of Corting.

(1) Number.	(2) Names in Full (surname first).	(3) Residence or Property Occupied, and Abode of Non-resident Occupier.	(4) Nature of Qualification.
	QUEEN STREET—*continued.*		
	Jones, Joshua	22, Stables. (Abode —15, Diamond Terrace, Ilchester.)	O.
	Black, Violet Hester..	26	O.

NAVAL OR MILITARY VOTERS (*h*).

Section 5 (*i*) of the Act confers an entirely new electoral qualification for persons described therein as "naval or military voters." These comprise the following classes:—

1. Persons serving *at home or abroad* on full pay as members of any of the naval, military or air forces of the Crown.

2. The following persons serving *abroad or afloat in connection with the war*:—

(a) Persons in service of a naval or military character for which payment is made out of moneys provided by Parliament or (where they were at the commencement of their service resident in the United Kingdom) out of the public funds of any of the Dominions.

(b) Persons in service as merchant seamen, pilots, or fishermen, including masters and apprentices.

(c) Persons serving in any work of the British Red Cross Society or the Order of St. John of Jerusalem in England, or any other body with a similar object.*

(d) Persons serving in any other work recognised by the Admiralty, Army Council or Air Council as work of national importance in connection with the war.*

Males in each of the foregoing classes are entitled to be registered if they have attained 19 years of age, and females if they have attained 30 years of age, on the last day of the qualifying period, which in the case of the first register is the 15th April, 1918.

These naval or military voters are entitled to be registered as parliamentary voters for any constituency for which they would have had the necessary qualification but for the service which under the Act entitled them to be registered as naval or military voters.

The section provides (*k*) that the statement of any person made in the prescribed form and verified in the prescribed manner that he would have had the necessary qualification in any constituency but for the service which brings him within the provisions of the section, shall for all purposes of the section be sufficient if there is no evidence to the contrary.

An Order in Council has been issued prescribing the form (*l*) in which these statements are to be made and verified, and arrangements have been made with the Admiralty, the Army Council and the Air Council, for the collection, so far as is possible, from naval or military voters of information respecting any qualification which they would have had but for their ser-

* See List on pages 608 and 635 of Bodies with a similar object to those mentioned in para. (*c*) and of organisations recognised by the Admiralty, Army Council, or Air Council under para. (*d*).

(*h*) This is the memorandum referred to in the preceding memorandum See p. 601, *supra*.
(*i*) See pp. 76—79, *supra*.
(*k*) See sect. 5 (2), p. 77, *supra*.
(*l*) See pp. 571—574, *supra*.

vice. The forms have been printed in postcard shape, and so far as is practicable they will be filled up individually by the naval or military voters. In the case of men serving in the Forces in distant parts of the world from whom it would not be possible to obtain particulars in time for the first registration (*m*), the Record Offices in regard to the Army and the Air Force, and the Admiralty in regard to the Navy, will furnish such information as they can (*n*). In this way a large mass of information will reach the Registration Officers from all classes of naval or military voters. On the other hand, the Registration Officers and other officials employed in the compilation of the electors lists will, in the course of their canvass, obtain a large amount of information with regard to these voters. The Registration Officers are accordingly recommended, on receipt of the postcards, to dispatch them to the officials engaged in preparing the lists in the areas to which the cards relate, so that as far as possible they may utilise them, together with the particulars which they will obtain in the course of their canvass, in preparing the lists of voters. The naval and military voters are, by Rule 17 (*o*) of the First Schedule to the Act, to be placed automatically on the absent voters list, unless they notify a desire to the contrary or they are registered in respect of actual residence. Except in the latter cases, the names of naval or military voters will be marked (*p*) in the register with the letter *a*, and will also be included in the separate list of absent voters for the polling district, and the cards should therefore be returned by the overseers to the Registration Officer when the necessary information contained in them has been noted for the purpose of preparing the electors lists.

The cards in use in the Navy, Marines and Naval Division are of a different form from those adopted for other classes of naval or military voters, being double cards. It is desired that as soon as it is clear that any man in the naval forces will be registered, his card should be marked in the space provided, showing the constituency in which he will be registered, and the card be transmitted to the ship or establishment in which he is recorded as serving. Each card will be received in an envelope and should be returned in the same envelope re-addressed as indicated thereon. The envelopes can, however, be made up in packages if there are a number relating to the same ship or establishment.

All other cards than naval cards can be retained by the Registration Officer, but it will be necessary that lists should be made out of voters in the Army and Air Force according to Record Offices (of which a list showing the Corps included under each Office will be sent to the Registration Officer), and that a copy of the list relating to each Record Office should be forwarded to that Office. These lists should be made and for-

(*m*) See pp. 613—614, *infra*.
(*n*) See Rule 18, p. 346, *supra*.
(*o*) For this Rule, see pp. 345—346, *supra*.
(*p*) See note on Form of Register, p. 577, *supra*.

warded as soon as the register is sufficiently advanced to enable the Registration Officer to know that the voters will be registered. These lists will be kept up to date by the Record Offices by noting changes of posting (which are now very numerous), deaths, discharges and other alterations as recorded, and will enable them to supply for future registers particulars of the men entered as electors in the constituency in a more or less up-to-date form. Similarly, if an election takes place they will supply the lists as amended, so as to show changes in the addresses to which voting papers are to be dispatched (*q*).

It is open to the Registration Officers to inquire of the Naval or Military Authorities (*r*) in regard to men of whose registration they are in doubt, but it must be realised that so far as particulars connected with registration are concerned those authorities have no information beyond the name of the individual man, his age as entered in the records, and the particulars of his next of kin, whose address may or may not be that in respect of which he is entitled to be registered. It will thus be of no service, generally speaking, to correspond with these Authorities on other points, and those engaged in the registration will have to depend upon such information as can be collected in the locality. It will be remembered that, as noted above, the statement of the naval or military voter as to his qualification is, in the absence of evidence to the contrary, to be sufficient for the purpose of registration.

In cases where inquiry of the Naval or Military Authorities is necessary, it should be addressed in the case of the Army or the Air Force to the "Officer i/c Records." In the case of the Navy and Marines it should be addressed to the Commanding Officer of the Ship or Marine Division (*i.e.*, Chatham, Portsmouth, Plymouth, Eastney or Deal) if such is known. In other cases application should be made as follows:—

Branch of Service.	*Department concerned.*
(1) Royal Navy and Royal Naval Volunteer Reserve (other than men serving in the Royal Naval Division).	Admiralty (Seamen's Services Branch), S.W. 1.
(2) Royal Naval Reserve . .	The Registrar General of Shipping and Seamen, Tower Hill, E. 1.
(3) Royal Marines . . .	Admiralty (Royal Marine Office), S.W. 1.

In the case of the Royal Naval Division, application should be made in all cases to the Officer in Charge of Records, 63rd (R.N.) Division, 47, Victoria Street, S.W. 1.

Inquiries cannot be answered unless the name, official number, rating or rank, and branch of service can be given.

(*q*) See sect. 23, pp. 172—176, *supra*.
(*r*) See Rule 18, p. 346, *supra*.

Inquiries as to Officers, whether naval or military, must be made to the Officers themselves.

It will be borne in mind that the right of a person to be registered as a naval or military voter is in addition to any other right to be registered (*s*), and that therefore he can be registered in respect of an actual residence qualification in a constituency. He must, however, make a claim for the purpose, accompanied by a declaration, in the prescribed form, that he has taken reasonable steps to prevent his being registered as a naval or military voter in another constituency. The qualifying period in such a case is one month (*t*). A form (*u*) of claim and declaration has been prescribed by Order in Council.

LIST, WITH ADDRESSES FOR COMMUNICATIONS, OF CERTAIN BODIES WITHIN PARAGRAPH 2 (c).

British Red Cross Society. Order of St. John of Jerusalem in England. Scottish Women's Hospital. First Aid Nursing Yeomanry working for the British. Friends' Ambulance Unit.	The Secretary to the Joint War Committee of the British Red Cross and the Order of St. John of Jerusalem in England, 83, Pall Mall, London, S.W.1.
St. Andrew's Ambulance Association.	The Secretary, 176, West Regent Street, Glasgow.

Other Red Cross organisations, such as the Australian, Canadian, South African, American, French, Italian and Serbian Red Cross Societies are included under the Paragraph.

LIST, WITH ADDRESSES FOR COMMUNICATIONS, OF BODIES, SERVICE WITH WHOM HAS BEEN RECOGNISED (*x*) UNDER PARAGRAPH 2 (d).

Young Men's Christian Association.	National Headquarters, Tottenham Court Road, London, W. 1.
Salvation Army . . .	Salvation Army Headquarters, 101, Queen Victoria Street, London, E.C. 4.
Church Army . . .	Hon. Secretary, 55, Bryanston Street, London, W. 1.
Scottish Churches Huts .	22, Queen Street, Edinburgh.
Catholic Women's League .	116, Victoria Street, London, S.W. 1.
Catholic Club Huts . .	

(*s*) See sect. 5 (1), pp. 76, 77, and pp. 90, 91, *supra*.
(*t*) See sect. 6, p. 94, and pp. 96, 97, *supra*.
(*u*) For this Form, see p. 569, *supra*.
(*x*) See p. 637, *infra*.

United Navy and Army Board.	4, Southampton Row, London, W.C. 1.
Soldiers' Christian Association.	296, Vauxhall Bridge Road, London, S.W. 1.
The Colonial and Continental Church Society.	9, Serjeants' Inn, Fleet Street, London, E.C. 4.
Navy and Army Canteen Board.	The Naval Secretary, Navy and Army Canteen Board, Imperial Court, Knightsbridge, London, S.W. 3.
Wesleyan Army and Navy Board.	Rev. J. H. Bateson, Secretary, Wesleyan Army and Navy Board, Central Buildings, Westminster, London, S.W. 1.

No. 5.

SCALE OF REGISTRATION EXPENSES (*a*).

R. P. 8.

IN PURSUANCE OF THE POWERS CONFERRED BY SECTION 15 OF THE REPRESENTATION OF THE PEOPLE ACT, 1918, WE BEING TWO OF THE LORDS COMMISSIONERS OF HIS MAJESTY'S TREASURY HAVE FRAMED THE FOLLOWING SCALES OF REGISTRATION EXPENSES FOR ENGLAND AND WALES. THESE SCALES WILL BE APPLICABLE ONLY TO THE FIRST AND SECOND REGISTERS PREPARED UNDER THE ACT.

I.

	First Register. £ s. d.	Second Register. £ s. d.
1. PARLIAMENTARY COUNTIES.		
(a) *Registration Officer's Fee.* (To cover payments to Deputies and Clerks.)		
For the first 25,000 electors in the Registration Area	250 0 0	250 0 0
For each additional 1,000 electors up to 100,000	7 0 0	7 0 0
For each additional 1,000 electors beyond 100,000	6 0 0	6 0 0
(b) *Registration Officer's Expenses in respect of the remuneration of Assistant Overseers and other persons, similarly employed.*		
In a parish where the number of electors—		
(i) does not exceed 250—for every elector	0 0 5½ with a minimum of £1.	0 0 4 with a minimum 15*s*.
(ii) exceeds 250 but does not exceed 1,000—for every 100 electors	1 13 4	1 5 0
(iii) exceeds 1,000—for every 100 electors	1 2 6	0 14 8
Provided that the minimum expenditure which may be incurred under any item of this scale shall not be less than the maximum under the preceding item.		

(*a*) See sect. 15, pp. 139—141, *supra*.

	First Register. £ s. d.	Second Register. £ s. d.
2. PARLIAMENTARY BOROUGHS OUTSIDE LONDON.		
(a) *Registration Officer's Fees.* (To cover fees to Deputies and Clerks, the personal fee of the Registration Officer and of any deputy or deputies appointed by him not to exceed in the aggregate an amount calculated at the rate of £2 10*s.* for every 1,000 electors.)		
For the first 25,000 electors in the Registration area	175 0 0	175 0 0
For each additional 1,000 electors ...	4 0 0	4 0 0
(b) *Registration Officer's Expenses in respect of the remuneration of Assistant Overseers and other persons similarly employed.*		
For every 100 electors in the parish...	1 2 6	0 16 8
3. PARLIAMENTARY BOROUGHS IN LONDON.		
(a) *Registration Officer's Fee.* (To cover Fees to Deputy Registration Officers).		
For every 1,000 electors in the Registration area	2 10 0	2 10 0
(b) *Registration Officer's Expenses in respect of the remuneration of Clerks, Canvassers, &c.*		
For every 100 electors in the Registration area	1 11 0	1 3 0

NOTES.—Where the payment is for every 1,000 electors or 100 electors as the case may be, the payment for any number in excess of a complete 1,000 or 100 should be calculated proportionately.

The number of electors means in the case of the Registration Officer's Fee the number registered in the Registration Area, in the case of the remuneration of Assistant Overseers and other persons similarly employed the number in the civil parish, and in the case of the remuneration of clerks, canvassers, &c., in London the number in the Registration Area.

II.

PRINTING, &C. EXPENDITURE.

(1) Where the printing is carried out under arrangements made by His Majesty's Stationery Office such amount as may be certified by that Department to be the expenditure incurred in connection therewith.

(2) *Printing carried out directly by the Registration Officer and other Out of Pocket Expenditure.*

The actual expenditure supported as far as possible by vouchers and certified by a statutory declaration by the Registration Officer to the effect that it was necessarily and properly incurred. First class railway expenses and subsistence allowance at the rate of £1 a night when the Registration Officer or his Deputy are necessarily absent from their homes on account of their registration duties will be allowed.

(Sd.) J. W. Pratt.

(Sd.) J. Towyn Jones.

Treasury Chambers,
Whitehall, S.W.,
7th March, 1918.

No. 6.

ORDER IN COUNCIL UNDER SECTION 46 (2) (*x*) OF THE REPRESENTATION OF THE PEOPLE ACT, 1918, FIXING THE DATES ON WHICH THE FIRST REGISTER SHALL COME INTO FORCE, AND UNTIL WHICH IT SHALL REMAIN IN FORCE, AND ALTERING IN CONNECTION THEREWITH THE REGISTRATION AND QUALIFYING PERIOD DATES SPECIFIED IN THE ACT.

[*N.B.—For alterations to this Order, see Order in Council of June 4th, 1918, rule 6, p. 749, infra, and Fifth Schedule, p. 752, infra.*]

R. P. 3.

At the Court at Buckingham Palace, the 4th day of March, 1918.

PRESENT,

The King's Most Excellent Majesty in Council.

Whereas under s. 46 (2) of the Representation of the People Act, 1918 (herein-after referred to as "the Act"), provision is made as follows:—

> "Notwithstanding anything in this Act, the first register to be prepared under this Act shall come into force on, and remain in force until, such date as His Majesty may fix by Order in Council, and His Majesty may by any such Order alter, in connection with the first register, any registration dates, including the dates governing the qualifying period, and direct that this Act shall have effect as so altered."

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

The first register to be prepared under the Act shall come into force on the first day of October, 1918, and shall remain in force (unless otherwise ordered) until the fifteenth day of March, 1919, and in connection with the first register to be so prepared the registration dates and the dates governing the qualifying period shall, instead of the dates specified in the Act, be the dates specified in the third column of the Schedule to this Order.

ALMERIC FITZROY.

(*x*) See p. 336, *supra*.

Schedule.

REGISTRATION DATES, &c.

Subject-matter.	Date specified in Act.	Substituted date.
End of Qualifying period.....	15th Jan.—July	15th April
Publication of lists	1st Feb.—Aug.	15th June
Last day for objections to electors lists	15th Feb.—Aug.	29th June
Last day for claims	18th Feb.—Aug.	5th July
Last day for claims as absent voters.	18th Feb.—Aug.	5th July
Publication of list of objections to electors lists.	21st Feb.—Aug.	8th July
Publication of list of claimants	24th Feb.—Aug.	13th July
Last day for objections to claimants.	7th Mar.—4th Sept.	26th July
Publication of list of objections to claimants (as soon as practicable after.	7th Mar.—4th Sept.	26th July
Publication and coming into force of register.	15th April—Oct.	1st October

[N.B.—Most of these dates have been altered by Order in Council dated June 4th, 1918. See rule 6, p. 749, *infra*, and Fifth Schedule, p. 752, *infra*.]

No. 7.

THE REGISTRATION OFFICERS ORDER, 1918, MADE IN PURSUANCE OF S. 12 (2) (*x*).

To THE COUNTY COUNCILS of the several Administrative Counties named in Column 2 of Schedule A. to this Order;—
To the Clerks to the said County Councils;—
To the Councils of the several Municipal Boroughs named in Column 2 of Schedule B. to this Order;—
To the Town Clerks of the said Municipal Boroughs;—
And to all others whom it may concern.

WHEREAS by sub-section (2) of Section 12 (*x*) of the Representation of the People Act, 1918, it is provided that where the registration area is a parliamentary county and is coterminous with, or wholly contained in, one administrative county, the clerk of the county council, and where the registration area is a parliamentary borough and is coterminous with, or wholly contained in, one municipal borough, the town clerk of the borough, shall be the registration officer for the area, and that in any other case such clerk of the county council, or town clerk, shall be registration officer for the area as the Local Government Board may by Order direct, subject to any conditions which may be made by the Order as to the appointment of deputies for any part of the area;

And whereas each of the Parliamentary Counties named in Column 1 of Schedule A. to this Order is a registration area which is not coterminous with or wholly contained in one administrative county, and each of the Parliamentary Boroughs named in Column 1 of Schedule B. to this Order is a registration area which is not coterminous with or wholly contained in one municipal borough:

NOW THEREFORE, in pursuance of Our powers in that behalf, We, the Local Government Board, by this Our Order Direct as follows:—

ARTICLE I.—In the case of each of the Registration Areas named in the first column of the Schedules A. and B. to this Order the person for the time being holding the office of Clerk of the County Council, or Town Clerk, as the case may be, specified in the second column of those Schedules opposite to the name of the Registration Area shall, until We by Order otherwise direct, be the Registration Officer.

ARTICLE II.—This Order may be cited as "the Registration Officers Order, 1918."

(*x*) See pp. 130—131, *supra*.

SCHEDULE A.

Name of Parliamentary County.	Registration Officer.
Chester	Clerk of the County Council of Chester.
Cornwall	,, ,, ,, ,, Cornwall.
Kent	,, ,, ,, ,, Kent.
Parts of Kesteven and Rutland.	,, ,, ,, ,, the Parts of Kesteven.
Northampton with the Soke of Peterborough.	,, ,, ,, ,, Northampton.
Stafford	,, ,, ,, ,, Stafford.
East Sussex	,, ,, ,, ,, East Sussex.
Brecon and Radnor	,, ,, ,, ,, Brecon.

SCHEDULE B.

Name of Parliamentary Borough.	Registration Officer.
Accrington	Town Clerk of the Borough of Accrington.
Ashton-under-Lyne	,, ,, ,, ,, Ashton-under-Lyne.
Barnsley	,, ,, ,, ,, Barnsley.
Batley and Morley	,, ,, ,, ,, Batley.
Blackpool	,, ,, ,, ,, Blackpool.
Brighton	,, ,, ,, ,, Brighton.
Bromley	,, ,, ,, ,, Bromley.
Bury	,, ,, ,, ,, Bury.
Cheltenham	,, ,, ,, ,, Cheltenham.
Dudley	,, ,, ,, ,, Dudley.
Eccles	,, ,, ,, ,, Eccles.
Exeter	,, ,, ,, ,, Exeter.
Grimsby	,, ,, ,, ,, Grimsby.
The Hartlepools	,, ,, ,, ,, West Hartlepool.
Hythe	,, ,, ,, ,, Folkestone.
Kingston-upon-Thames.	,, ,, ,, ,, Kingston-upon-Thames.
Leigh	,, ,, ,, ,, Leigh.
Lincoln	,, ,, ,, ,, Lincoln.
Morpeth	,, ,, ,, ,, Morpeth.
Nelson and Colne	,, ,, ,, ,, Nelson.
Newcastle-under-Lyme.	,, ,, ,, ,, Newcastle-under Lyme.
Preston	,, ,, ,, ,, Preston.
Richmond	,, ,, ,, ,, Richmond.
Rochester	,, ,, ,, ,, Chatham.
Rossendale	,, ,, ,, ,, Rawtenstall.
Rotherham	,, ,, ,, ,, Rotherham.
Southampton	,, ,, ,, ,, Southampton.
Stockton-on-Tees	,, ,, ,, ,, Stockton-on-Tees.
Sunderland	,, ,, ,, ,, Sunderland.
Wallsend	,, ,, ,, ,, Wallsend.
Wednesbury	,, ,, ,, ,, Wednesbury.
Wimbledon	,, ,, ,, ,, Wimbledon.
Wolverhampton	,, ,, ,, ,, Wolverhampton.
York	,, ,, ,, ,, York.
Cardiff	,, ,, ,, ,, Cardiff.
Carnarvon District of Boroughs.	,, ,, ,, ,, Carnarvon.
Merthyr Tydfil	,, ,, ,, ,, Merthyr Tydfil.

Given under the Seal of Office of the Local Government Board, this Thirteenth day of February, in the year One thousand nine hundred and eighteen.

W. HAYES FISHER,
President.

H. C. MONRO,
Secretary.

No. 8.

CIRCULAR LETTER (*a*) FROM LOCAL GOVERNMENT BOARD TO REGISTRATION OFFICERS AS TO POLLING DISTRICTS AND POLLING PLACES.

R. P. 1.

LOCAL GOVERNMENT BOARD,
Whitehall, S.W. 1,
16*th February*, 1918.

SIR.

I am directed by the President of the Local Government Board to state that the Representation of the People Act, 1918, which received the Royal Assent on the 6th instant, makes special provision, in substitution for enactments previously in force, in regard to the division of parliamentary constituencies into polling districts and the appointment of polling places. Sections 31 and 39 are as follows:—

Section 31.—(1) It shall be the duty of the council, whose clerk is the registration officer for any constituency or by whom the registration officer is appointed, as occasion requires, to divide the constituency into polling districts, and to appoint polling places for the polling districts in such manner as to give to all electors in the constituency such reasonable facilities for voting as are practicable in the circumstances:

Provided that, before dividing any constituency in the administrative County of London into polling districts, the authority therefor shall send a draft of any scheme for that purpose to the London County Council, and shall take into consideration any representations made to them by that Council.

(2) If a local authority, or not less than thirty electors in a constituency, make a representation to the Local Government Board that the polling districts or polling places do not meet the reasonable requirements of the electors in the constituency, or any body of electors, the Local Government Board shall consider the representation, and may, if they think fit, direct the council whose duty it is to divide the constituency into polling districts to make such alterations as the Board think necessary in the circumstances, and if the council fail to make those alterations within a month after the direction is given may themselves make the alterations, and any alterations so made shall have effect as if they had been made by the council.

(*a*) See sect. 13 (1), p. 133, *supra*; also p. 134.

In this provision the expression "local authority" means as respects any constituency the council of any county, borough, urban or rural district, or parish wholly or partly situate in the constituency, or the parish meeting of any parish so situate where there is no parish council.

(3) On the exercise of any powers given by this section the council by whom the powers are exercised shall send to the Local Government Board a report and publish in the constituency a notice showing the boundaries of any polling districts or the situation of any polling places constituted as a result of the exercise of the power.

(4) An election shall not be questioned by reason of any non-compliance with the provisions of this section or any informality relative to polling districts or polling places.

(5) This section shall not apply to University constituencies.

(6) Nothing in this section shall affect any polling districts or polling places constituted before the passing of this Act until occasion arises for the exercise of the powers given by this section.

Section 39.—The council having power to divide a constituency into polling districts shall, not later than one month after the passing of this Act, take into consideration the division of the constituency into polling districts, and make any re-arrangements of those districts and of polling places which it appears necessary to make as a consequence of alterations effected by this Act.

It will be observed that under Section 39 the Council are to review the polling districts within a month from the 6th instant, and Mr. Hayes Fisher requests you to be good enough to bring the matter at once to the notice of the Council.

It is of importance that any alterations in the polling districts should be made at the earliest date practicable, as the electors' lists must be prepared so as to conform with the polling districts.

I am to add for your information that the Board, in consultation with the Treasury and the Stationery Office, have under consideration the general arrangements to be adopted throughout the country in regard to the printing of the lists and registers, and the supply of copies of forms required in connection with the preparation of the lists. As soon as the necessary Orders in Council prescribing the qualifying period and registration dates for the purposes of the first register, and the forms to be used, have been issued, a further communication with respect to these and the other matters above referred to will be sent to you.

I am, Sir,

Your obedient Servant,

H. C. Monro,

Secretary.

The Registration Officer of the
Parliamentary County *or* Borough.

No. 9.

CIRCULAR LETTER (*a*) FROM LOCAL GOVERNMENT BOARD TO REGISTRATION OFFICERS.

R. P. 10.

LOCAL GOVERNMENT BOARD,
Whitehall, S.W.1.
6th April, 1918.

SIR,

I am directed by the President of the Local Government Board to request that you will be good enough to bring before your Council the accompanying copy of the circular letter dated the 20th ultimo addressed to you in your capacity as Registration Officer of the Parliamentary County or Borough on the subject of the procedure in relation to the registration of electors under the Representation of the People Act, 1918.

EXPENSES.

As the Council are responsible for the payment of registration expenses, subject to contributions by other Councils in certain cases, Mr. Hayes Fisher desires that the attention of the Council should be directed in particular to the paragraphs in the circular relating to such expenses. A copy of the scale of expenses framed by the Treasury should also be laid before the Council.

In connection with this matter, it will be borne in mind that the expenses in the case of a county are to be paid out of the county fund, and if necessary as expenses for special county purposes, in the case of a borough out of the borough fund or rate or, if there is no borough fund or rate, out of the fund or rate out of which the ordinary expenses of the council are paid, in the case of an urban district out of the general district rate, and in the case of a metropolitan borough as general expenses.

The Council are empowered on the request of the Registration Officer to make to him, in respect of his expenses, advances of such amount and subject to such conditions as the Council may approve.

The attention of the Council should also be drawn to the last paragraph but one on page 5 of the circular with regard to the suggested arrangement, with the consent of the Council, for the use of existing office accommodation. Mr. Fisher has no doubt that, in view of the great need for economy, the Council will be willing to do all in their power to facilitate such an arrangement.

(*a*) See sect. 13 (1), p. 133, *supra*; also p. 134.

Order of Names in Register.

As stated in the circular letter, the names in the register of a registration unit in a parliamentary borough will be arranged in street order, unless the Council whose Clerk is the Registration Officer considers, having regard to the general character of the area forming the unit that this arrangement is inapplicable. If the unit is in a parliamentary county the names will be arranged in alphabetical order, unless the Council whose Clerk is the Registration Officer considers that arrangement in street order is possible and convenient. (Schedule I., Rule 4.)

In many municipal boroughs and urban districts in a parliamentary county, arrangement of the names in street order will no doubt be the most convenient method, and in some parliamentary boroughs there may be registration units where the names can only be arranged in alphabetical order. Any direction by the Council in cases of the kind should be given at the earliest possible moment, so that the electors lists may be prepared with the names in the appropriate order.

Vacancy in Office of Registration Officer.

In the event of any vacancy in the office of clerk of the county council or of town clerk or clerk to the urban district council it will rest with the chairman of the county council, the mayor, or the chairman of the urban district council, as the case may be, to appoint a person temporarily to perform the duties of the Registration Officer.

Polling Districts and Polling Places.

The circular letter addressed to Registration Officers on the 16th February drew attention to the provisions of Sections 31 and 39 of the Act relative to the division of constituencies into polling districts and the appointment of polling places.

In those cases where any rearrangement of polling districts or polling places has become necessary as a consequence of the alterations of the areas of constituencies, the Board will be glad to receive as soon as possible a report as to the boundaries of the polling districts and the situation of the polling places, in accordance with Section 31 (3) of the Act, if such a report or a copy of the order or direction of the Council has not already been transmitted.

In cases where no alteration of the polling districts or of the polling places in a constituency has been found to be necessary, the Board would be obliged by being furnished if practicable with a copy of the order or direction of the local authority, made or given before the passing of the Act, fixing the present polling districts and polling places.

In the cases of some parliamentary boroughs, difficulty is understood to have been experienced in regard to the appointment of polling places in consequence of there being no building in the polling district which can be stated as available for the purposes of the poll. The Board are not prepared to say that a polling place should not in any circumstances be out-

side the polling district, but wherever a suitable building for the purpose is or can be made available within the polling district the polling place should be within the district. Generally they consider that any school or other building known to be available for the poll might be designated as the polling place. If there is no such school or other building it would seem to be sufficient to describe the appointed polling place as a suitable building in or as near as practicable to a particular street, or square, or other well-known place in the polling district. The number of polling stations to be provided at each polling place will be determined by the Returning Officer, in accordance with Rule 15 in the First Schedule to the Ballot Act, 1872.

In parliamentary counties, the Board themselves raise no objection to the continuance of the practice hitherto followed of designating the polling place by the name of the particular village or parish in which the polling place is situated, if it is not practicable to define the place more closely. The Board observe that in some instances where a town or other area has been divided into more than one polling district the name of the town or other area has been given as the polling place for each polling district. It is not clear, therefore, where the polling place of any particular district is, in fact, situated. The Board consider that it is desirable in such a case to adopt a similar method to that mentioned in the preceding paragraph by distinguishing the polling place by reference to a building or some known place in the polling district.

Having regard to Rule 26 in the First Schedule to the new Act, it is desirable that each polling district should be distinguished by a separate letter.

There is another point to which reference may be made. In parliamentary boroughs which existed before the new Act, the polling place or booth was fixed by the Returning Officer, for the purposes of the particular election at which the booth was required. The Board doubt whether the building or booth thus fixed by the Returning Officer can be regarded as a polling place constituted before the passing of the new Act within the meaning of Section 31 (6) of the Act. It is desirable, therefore, that polling places should be appointed in these cases although no alteration of the polling districts may have been made.

So far as regards the publication of the boundaries of polling districts and the situation of polling places, in accordance with Section 31 (3), the Board think that this may be done by advertisement in the manner hitherto adopted under Section 34 of the Representation of the People Act, 1867, or by placards posted in the constituency, or otherwise in such manner as may be found most convenient for the purpose of bringing the matter to the notice of persons interested.

I am, Sir,
Your obedient Servant,
H. C. Monro,
Secretary.

To the Clerk of the County Council *or*
Town Clerk *or*
Clerk to the Urban District Council.

No. 10.

CIRCULAR LETTER (*a*) FROM LOCAL GOVERNMENT BOARD TO REGISTRATION OFFICERS.

R. P. 12.

LOCAL GOVERNMENT BOARD,
Whitehall, S.W.1.
10*th April*, 1918.

SIR,

I am directed by the Local Government Board to advert to the remarks in their circular letter of the 20th ultimo as to the inquiries to be made by Registration Officers for the purpose of ascertaining the names of persons entitled to be registered as electors.

ACCESS TO FOOD REGISTERS.

It has been represented that access to the information afforded by the Food Registers under the control of Local Food Committees would be of considerable assistance to Registration Officers, more especially as disclosing the names of householders or heads of families by whom it is desired that statements in Form A. prescribed by the Order in Council should be made. The Board are informed by the Ministry of Food that the Food Controller raises no objection to the Executive Officers of the Local Food Committee and the Registration Officers making their own arrangements to assist one another. It will be understood, however, that the information thus obtained by Registration Officers must be treated as strictly confidential and that in no circumstances should such information be disclosed or be used otherwise than for the purpose of facilitating the preparation of the electors lists and register.

NAVAL OR MILITARY VOTERS.

Another matter to which the Board desire to refer is the registration of naval or military voters. The special memorandum R.P.7 appended to the Instructions to Overseers, of which copies accompanied the circular, indicated the arrangements which have been made for dealing with the cards containing the statements by naval or military voters as to their qualifications to be registered. The Board feel that under present conditions there may be considerable delay in the transmission of the cards of naval or military voters to the Registration Officer and that in some cases there may be miscarriage of the cards. The Registration Officer will, of course, realise the

(*a*) See sect. 13 (1), p. 133, *supra*; also p. 134.

importance of securing the registration of all naval or military voters entitled to be registered, and of obtaining in the case of persons serving in the Forces the necessary information as to regiment, ship, number, etc., which will be required for the purpose of addressing communications to these voters to enable them to record their votes as absent voters. The Record Offices, it is understood, would probably be unable to furnish these particulars in the absence of means of identifying the voters. It is therefore desirable that the overseers or other persons employed in making inquiries should take especial care to ensure that the particulars as to description of service, regiment, ship, number, etc., indicated in the heading to the 4th column of Return No. 5 in Form A., are correctly filled in, and that any of these particulars otherwise obtained in the course of their inquiries are carefully recorded. In any cases where the particulars obtained in the course of the inquiries are found to differ from those contained in the card filled in by the voter, the Registration Officer should require the case to be reported to him, but the name of the voter should be included in the electors lists as well as in the separate list referred to below.

The Board have under consideration the question of the form in which the Absent Voters List should be made out, and they will shortly address a communication to the Registration Officer on the subject. In order to facilitate the preparation of this list and to ensure that the particulars above mentioned as to description of service, regiment, etc., of naval or military voters which are given in Form A., or otherwise obtained, may be available for the purposes of the record of addresses to be kept by the Registration Officer, it may be of advantage that the overseers should, when making out the electors lists, make a separate list of naval or military voters containing in three columns (a) the names of the naval or military voter, surname first, (b) the qualifying premises and (c) the description of service, regiment, ship, number, rank, etc. The names in this separate list should be in the same order as they appear in the electors lists. Columns (a) and (b) will contain the same entries as those in columns (2) and (3) of the electors lists, whilst the particulars in column (c) will be those obtained from Form A., or otherwise. The separate list should be headed so as to show the name of the constituency and the polling district or registration unit.

Provision of Ballot Boxes, &c.

It has been represented to the Board that, in view of the increased electorate and the requirement of the Act that at a general parliamentary election all polls shall be held on one day, the existing provision of ballot boxes and stamping instruments will be insufficient and that it will be necessary, having regard to present conditions, for early steps to be taken to make up the deficiency. H.M. Stationery Office are making arrangements for the supply of ballot boxes and stamping instruments where necessary and it is the view of the Treasury that Registration Officers should not obtain these independently, and that,

unless a definite contract has already been made, they should cancel any arrangements entered into for the purpose.

In order to avoid unnecessary expense in new purchases the Registration Officer should ascertain at the earliest practicable date the precise number of ballot boxes and stamping instruments which would be available, including those in the possession of any local authority in the registration area, for a general parliamentary election. In addition to ballot boxes and stamping instruments in the hands of local authorities which could be utilized, the Deputy Sheriff or other person who has conducted parliamentary elections in the past may have a number of these in his possession, and inquiry should be made of him as to this and whether they can be handed over to the Acting Returning Officer or otherwise made available for his use.

When this information has been obtained the Registration Officer should at once forward to the Superintendent of Stores, H.M. Stationery Office, Westminster, London, S.W. 1, a statement showing (a) the number of ballot boxes, etc., available; (b) the additional number estimated to be required; and (c) the basis upon which the estimate is arrived at, *e.g.*, the number of polling places in the registration area and of the polling stations at each such polling place.

Work Recognised under Section 5 (3) (ii) (c).

The Board may add that the work of the Young Women's Christian Association (25 and 26, George Street, Hanover Square, London, W. 1) has been recognised (*w*) by the Admiralty, Army Council and Air Council under Section 5 (3) (ii) (c) of the new Act as work of national importance in connection with the war, so that persons serving abroad or afloat under the Association in connection with the war are entitled to be registered for any constituency for which they would have had the necessary qualification but for their service. The name and address of this Association should accordingly be regarded as added to the list of bodies under paragraph 2 (c) on pages 5 and 6 (*x*) of the Memorandum as to Naval or Military Voters (R.P. 7).

I am, Sir,

Your obedient Servant,

H. C. Monro,

Secretary.

To the Registration Officer.

(*w*) See p. 635, *infra*.
(*x*) See pp. 608, 609, *supra*.

No. 11.

ORDER IN COUNCIL, DATED MARCH 22ND, 1918.

[*N.B.—For alterations to this Order, see Order in Council of June 4th, 1918, rules 6 and 10, p. 749, infra.*]

WHEREAS under the Representation of the People Act, 1872, (hereinafter referred to as "the Act"), various matters are to be prescribed by His Majesty by Order in Council:

And whereas in particular provision is made by the Act as follows:—

"Notwithstanding anything in this Act, the first register to be prepared under this Act shall come into force on, and remain in force until, such date as His Majesty may fix by Order in Council, and His Majesty may by any such Order alter, in connection with the first register, any registration dates, including the dates governing the qualifying period, and direct that this Act shall have effect as so altered" (s. 46 (2)) (*a*):

"His Majesty may by Order in Council prescribe the forms to be used for registration purposes and any fees to be taken in connection therewith, and alter the rules contained in the First Schedule to this Act for the purpose of carrying this Act into full effect" * * * (s. 13 (2)) (*b*):

"The statement of any person, made in the prescribed form and verified in the prescribed manner, that he would have had the necessary qualification in any constituency but for the service which brings him within the provisions of this section, shall for all purposes of this section be sufficient if there is no evidence to the contrary" (s. 5 (2)) (*c*).

And whereas by two Orders in Council dated the 4th day of March, 1918 (*d*) (hereinafter referred to respectively as the "dates order" and the "forms order"), provision was made with respect to the dates applicable to the first register to be prepared under the Act, and the forms to be used for registration purposes respectively:

And whereas the forms order does not apply to Scotland and Ireland and it is necessary to prescribe forms for use in Scotland and Ireland respectively:

And whereas it is expedient, in order to avoid any question which may arise, to comply as respects England and Wales and as respects Ireland with the provisions of the Rules Publication Act, 1893, both as to the matters for which provision has been already made by the dates order and the forms order, and as to the forms to be prescribed for Ireland under this order, and it is necessary on account of urgency that any order providing for the matters dealt with by this order should come into operation forthwith:

NOW, THEREFORE, His Majesty is pleased, by and with the

(*a*) See p. 336, *supra*. (*b*) See pp. 133, 134, *supra*.
(*c*) See p. 77, *supra*.
(*d*) See pp. 613, 614 and 555—578 respectively.

advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. The dates affecting the first register to be prepared under the Act, including the registration dates and the dates governing the qualifying period, shall, instead of the dates specified in the Act, be the dates specified in the third column of the Schedule (*e*) to the dates order, and in addition the date mentioned in Rule 17 of the First Schedule to the Act shall for the purposes of that register (instead of the 18th day of February [August]) be the 5th day of July (*e*).

2. The forms specified in the Schedule (*g*) to the forms order or forms to the like effect shall be used in the cases to which they are expressed to be applicable and shall for the purposes of the Act be deemed to be the prescribed forms for England and Wales.

3. The forms specified in the Schedule to the forms order under Heading V. (*h*) (Forms of statement to be made under section 5 (2) of the Act), and Heading VII. (*i*) (Forms of notice of appeal) or forms to the like effect shall be used in the cases to which they are expressed in that Schedule to be applicable and shall for the purposes of the Act be deemed to be the prescribed forms not only for England and Wales but for the United Kingdom.

4. In particular the forms of statement under Heading V. (*h*), in the Schedule to the forms order or forms to the like effect shall for the whole United Kingdom be deemed to be the prescribed forms of statement that a person would have had the necessary qualification but for the service which brings him within the provisions of section 5 of the Act, and shall be verified by being countersigned by an officer or other person in the manner shown in the forms.

5. The forms specified in Part I. of the Schedule to this order or forms to the like effect shall be used in the cases to which they are expressed to be applicable and shall for the purposes of the Act be deemed to be the prescribed forms for Scotland.

6. The forms specified in Part II. of the Schedule to this order or forms to the like effect shall be used in the cases to which they are expressed to be applicable and shall for the purposes of the Act be deemed to be the prescribed forms for Ireland.

7. This order shall take effect from the date hereof, and, except as respects Scotland, shall take effect provisionally in accordance with the provisions of section 2 of the Rules Publication Act, 1893.

ALMERIC FITZROY.

SCHEDULE.

[Forms for Scotland and Ireland.]

(*e*) The dates prescribed by the Order in Council of June 4th, 1918, have been substituted for the dates here referred to. See rule 6, p. 749, *infra*, and Fifth Schedule, p. 752, *infra*.

(*g*) See pp. 556—578, *supra*.

(*h*) See pp. 571—574, *supra*.

(*i*) See pp. 575, 576, *supra*.

No. 12.

RULES MADE BY THE ADMIRALTY IN PURSUANCE OF SECT. 41 (10) (*y*) FOR THE PURPOSE OF THE INTERPRETATION OF THE EXPRESSION "AFLOAT" IN SECT. 5 (3) (ii) (*z*).

The expression "afloat in connection with the war" means any person employed under Admiralty directions who is living on board any of His Majesty's ships or any ship or hulk provided for his accommodation by the Admiralty.

No. 13.

CIRCULAR LETTER (*a*) FROM LOCAL GOVERNMENT BOARD TO REGISTRATION OFFICERS.

LOCAL GOVERNMENT BOARD,
Whitehall, S.W. 1,
13*th May*, 1918.

SIR,

I am directed by the President of the Local Government Board to advert to the circular letter of the 10th ultimo, in which reference was made to certain matters arising under the Representation of the People Act, 1918, and in particular to the registration of naval or military voters.

REGISTRATION OF NAVAL OR MILITARY VOTERS.

In the circular the Board pointed out that under present conditions there might be miscarriage, or delay in the return to the Registration Officer, of the postcards containing the statements made by naval or military voters of their qualifications to be registered under section 5 (*b*) of the Act, and that therefore special care was desirable to obtain as full information as possible from local sources as to naval or military voters in order to secure, not only that they should be included in the electors lists, but also that the particulars as to description of service, regiment, ship, etc., should be recorded for the purpose of their voting as absent voters. Some misapprehension would, however, appear to exist as to the right of a naval or military voter to be registered unless a postcard containing the prescribed form of statement

(*y*) See p. 308, *supra*.
(*z*) See p. 77, *supra*.
(*a*) See sect. 13 (1), p. 133, *supra*.
(*b*) See pp. 76—79, *supra*.

under sub-section (2) (*c*) of the section has been received. The effect of the sub-section is that the statement of the naval or military voter as to his qualification is to be taken as sufficient in the absence of evidence to the contrary. It must, however, be borne in mind that any person to whom section 5 of the Act applies is entitled to be registered as a parliamentary elector for any constituency in which he would have had the necessary qualification but for the service which brings him within the section, and if, in the case of any naval or military voter, the Registration Officer is satisfied from the evidence obtained by local enquiry or otherwise that such voter would, but for his service, have possessed the qualification to be registered for the constituency, it is the duty of the Registration Officer to cause the name of the voter to be entered in the electors lists. If a postcard is subsequently received from the voter any necessary correction in the entry of the name should of course be made by the Registration Officer in the revision of the lists.

The Board have received some inquiries as to the manner in which the cases of naval or military voters who possess an actual residence qualification in a constituency should be dealt with in preparing the electors lists and registers. Some men in the Forces have, by reason of the nature of their duties, been actually residing in a particular constituency for more than six months, although the constituency is not that in which they would have resided but for their service. In such a case a naval or military voter is by virtue of section 5 (1) of the Act not entitled to be registered in the constituency in which he is residing unless he makes a claim in the prescribed form to be registered in respect of his actual residence qualification in the constituency, and makes the necessary declaration as to the steps taken by him to prevent his being registered in any other constituency for a residence qualification which he would have had but for his service. In such cases Form III. (*d*) can be supplied for the use of the voter.

The Board understand that in some cases a man although he has taken up service which brings him within the provisions of section 5 of the Act has not ceased to reside in premises in the constituency in respect of which he would have been qualified to be registered in the ordinary way but for such service. The Board do not think that it is necessary in any such case for a claim to be made in respect of an actual residence qualification, as it is obvious that a declaration cannot be made by him that he has taken steps to prevent his being registered for another constituency. The voter should be registered in the electors lists in the ordinary way but his qualification should be described as N.M. like other naval or military voters and he should be entered subsequently in the absent voters list unless he gives notice to the Registration Officer that he does not desire to be placed on that list in accordance with Rule 17 (*e*) in the First Schedule to the Act.

(*c*) See p. 77, *supra*.
(*d*) See p. 569, *supra*.
(*e*) See pp. 345, 346, *supra*.

Delivery of Cards.

The Registration Officer should now be receiving the postcards containing the statements of naval or military voters. In order to facilitate the return to the proper Registration Officer of the completed cards which are to be distributed to the different classes of naval or military voters by the Admiralty, Army Council, Air Council, Board of Trade, Board of Agriculture and Fisheries and the various Organisations whose work comes within section 5 of the Act, lists of place names indicating the parliamentary areas in which places are situate have been supplied to the Government Departments and the Organisations so that the officers verifying the statements of the voters might be able to insert in the address the name of the parliamentary county or borough. In general therefore the cards will bear the proper address and will be received by the Registration Officer in the ordinary course of post.

In some cases, however, loss of time may be occasioned through a card bearing only the name of the county or the name of a town other than that in which the office of the Registration Officer is situated. The Postmaster-General has issued instructions which it is hoped will secure as far as practicable that such cards are delivered at the office of the Registration Officer of the parliamentary borough or parliamentary county to which the qualifying address relates. A certain number of cards may nevertheless reach a Registration Officer which do not relate to qualifying addresses within his registration area, *e.g.*, a card may relate to an address in an adjacent parliamentary county or to a parliamentary borough in the county. It is desirable therefore that immediately on the receipt of a card the Registration Officer should cause the qualifying address to be verified so as to ensure that the address is in his area. If on examination he finds that the qualifying address relates to another registration area in England or Wales, it is requested that he will at once forward the card to the Registration Officer of that area if he is able to identify the area. If the information is insufficient for this purpose, the card should at once be sent to the Superintendent on Duty, Inland Section, Mount Pleasant, London, E.C. 1. If the qualifying address on the card shows that it relates to a constituency in Scotland, it should be forwarded to the General Register Office, Edinburgh, or if to a constituency in Ireland to the Superintendent on Duty, Sorting Office, Dublin.

There may be special difficulty in regard to the cards relating to qualifying addresses in the case of the geographical counties of Yorkshire, Sussex, Lincolnshire and Suffolk which comprise two or more parliamentary counties. If the cards have been addressed to the Registration Officer, Yorkshire, Sussex, etc., the Post Office will be in doubt to which Registration Officer the cards should be sent. Arrangements have therefore been made for all cards thus addressed to be forwarded by the Post Office to one Registration Officer in each of these geographical counties who will distribute to the other Registration Officers in that county the cards relating

to their registration areas. The Registration Officer who has undertaken the distribution in each of the counties is:—

1. Yorkshire	...	Registration Officer for the County of Yorks (West Riding), Wakefield.
2. Lincolnshire	...	Registration Officer for the County of the Parts of Lindsey, Lincoln.
3. Sussex ...	...	Registration Officer for the County of East Sussex, County Hall, Lewes.
4. Suffolk ...	...	Registration Officer for the County of East Suffolk, Ipswich.

The Registration Officer of any other parliamentary county or borough who receives a card relating to any one of the four counties mentioned and is unable to identify the particular parliamentary county to which it relates might adopt the same course.

Appended to this Circular is a list of the parliamentary counties comprising more than one administrative county and of the parliamentary boroughs containing more than one municipal borough or urban district, indicating the Registration Officer for each such parliamentary county or borough.

The difficulty of securing the registration of naval or military voters is very greatly increased owing to the present war conditions, and much additional labour may be thrown on Registration Officers. Mr. Hayes Fisher feels sure, however, that every Registration Officer will by reciprocal action as above suggested do what is possible to ensure that every card reaches its proper destination.

Title Page for Electors Lists.

Some inquiries have been made as to the form of a title page for the electors lists for each Registration Unit.

It has not been thought necessary to prescribe a form for the purpose, and the Registration Officer will determine the precise particulars which the page should include. The Board consider, however, that in view of the need for economy there should be only one title page for the unit which will be prefixed to Division One of the electors lists. The Registration Officer will direct what references to areas in addition to the constituency, polling district (with its distinctive letter) and registration unit shall be given on the title page. The particulars indicating the contents of each of the three divisions of the electors lists and the abbreviations used in the fourth column relating to the nature of the qualifications which are prescribed with the Form of Register by Order in Council should also appear on the front or on the back of the title page. The description of the marks against the names of electors should not appear on the title page for the electors lists, as marks will be placed, where necessary, by the Registration Officer in the course of making up the register and the description can then be inserted. The Board do not think that it is necessary to include in the headings of any of the sheets in Division One or Divisions Two and Three any more com-

prehensive particulars than are indicated in the register sheets supplied by the Stationery Office for the purpose of entering up the electors lists.

ABSENT VOTERS LIST. PUBLICATION OF DOCUMENTS, &c.

The Board desire to add that the Absent Voters List will not be published with the electors lists but is to be prepared by the Registration Officer subsequently to the publication of the electors lists. The separate list of naval or military voters suggested in the Circular of 10th April (*f*) is intended to facilitate the preparation of the Absent Voters List and more particularly to secure that particulars as to the ship, regiment, number, etc., of the naval or military voters should be obtained so as to be entered in the record of the addresses of absent voters.

A further circular will shortly be addressed to the Registration Officer as to the form of the Absent Voters List and as to the period for keeping documents published. The Board will also furnish for the use of Registration Officers a model form of notice as to the manner of and time for making claims and objections which under Rule 6 (*g*) in Schedule I. of the Act is to be published at the same time as the electors lists.

I am, Sir,

Your obedient Servant,

H. C. MONRO,
Secretary.

To the Registration Officer.

PARLIAMENTARY COUNTIES CONTAINING MORE THAN ONE COUNTY.

Parliamentary County.	Counties contained in Parliamentary County.	Registration Officer.
Cornwall	Cornwall, Isles of Scilly..	Clerk of the County Council of Cornwall.
Parts of Kesteven (Lincolnshire) and Rutland.	Lincoln (Parts of Kesteven), Rutland.	Clerk of the County Council of Parts of Kesteven.
Northampton, with the Soke of Peterborough.	Northampton, Soke of Peterborough.	Clerk of the County Council of Northampton.
Brecon and Radnor..	Brecon, Radnor	Clerk of the County Council of Brecon.

(*f*) See pp. 623, 624, *supra.*
(*g*) See p. 341, *supra.*

PARLIAMENTARY BOROUGHS CONTAINING MORE THAN ONE BOROUGH OR URBAN DISTRICT.

Parliamentary Borough.	Boroughs or Urban Districts contained in Parliamentary Borough.	Registration Officer.
Accrington	Accrington, Church, Clayton-le-Moors, Oswaldtwistle, Rishton.	Town Clerk, Accrington.
Ashton-under-Lyne..	Ashton-under-Lyne, Hurst.	Town Clerk, Ashton-under-Lyne.
Barnsley	Barnsley, Ardsley, Darton, Monk Bretton.	Town Clerk, Barnsley.
Batley and Morley ..	Batley, Morley, Ossett ..	Town Clerk, Batley.
Blackpool	Blackpool, Bispham with Norbreck, Lytham and St. Anne's-on-the Sea.	Town Clerk, Blackpool.
Brighton	Brighton, Hove	Town Clerk, Brighton.
Bromley	Bromley, Beckenham, Penge.	Town Clerk, Bromley.
Bury	Bury, Tottington	Town Clerk, Bury.
Cheltenham	Cheltenham, Charlton Kings.	Town Clerk, Cheltenham.
Eccles	Eccles, Swinton and Pendlebury.	Town Clerk, Eccles.
Grimsby	Grimsby, Cleethorpes....	Town Clerk, Grimsby.
The Hartlepools	West Hartlepool, Hartlepool.	Town Clerk, West Hartlepool.
Hythe	Hythe, Folkestone, Cheriton, Sandgate.	Town Clerk, Folkestone.
Kingston-upon-Thames.	Kingston-upon-Thames, Surbiton, Maldens and Combe.	Town Clerk, Kingston-upon-Thames.
Leigh	Leigh, Atherton, Tyldesley-with-Shakerley.	Town Clerk, Leigh, Lancs.
Lincoln	Lincoln, Bracebridge	Town Clerk, Lincoln.
Morpeth	Morpeth, Ashington, Bedlingtonshire, Blyth and some small adjacent areas.	Town Clerk, Morpeth.
Nelson and Colne ..	Colne, Nelson, Barrowford, Brierfield, Trawden and some small adjacent areas.	Town Clerk, Nelson.
Newcastle-under-Lyme.	Newcastle-under-Lyme, Audley, Wolstanton United.	Town Clerk, Newcastle-under-Lyme.
Preston	Preston, Fulwood	Town Clerk, Preston.
Richmond	Richmond, Barnes, Ham	Town Clerk, Richmond, Surrey.
Rochester	Chatham, Gillingham, Rochester.	Town Clerk, Chatham.

Parliamentary Borough.	Boroughs or Urban Districts contained in Parliamentary Borough.	Registration Officer.
Rossendale	Bacup, Haslingden, Rawtenstall.	Town Clerk. Rawtenstall.
Rotherham	Rotherham, Greasbrough, Rawmarsh	Town Clerk. Rotherham.
Southampton	Southampton, Itchen, Bitterne (parish of).	Town Clerk, Southampton.
Stockton-on-Tees....	Stockton-on-Tees, Thornaby-on-Tees.	Town Clerk, Stockton-on-Tees.
Sunderland	Sunderland, Southwick-on-Wear.	Town Clerk, Sunderland.
Wallsend	Wallsend, Gosforth, Longbenton, Weetslade,	Town Clerk, Wallsend.
Wednesbury	Wednesbury, Darlaston, Tipton.	Town Clerk, Wednesbury.
Wimbledon	Wimbledon, Merton, Morden.	Town Clerk, Wimbledon.
Wolverhampton	Wolverhampton, Bilston, Coseley, Heath Town (or Wednesfield Heath), Sedgley, Short Heath, Wednesfield, Willenhall.	Town Clerk, Wolverhampton.
Cardiff	Cardiff, Penarth	Town Clerk, Cardiff.
Carnarvon District of Boroughs.	Bangor, Carnarvon, Conway, Pwllheli, Criccieth, Llandudno, Llanfairfechan, Penmaenmawr, Nevin (parish of)	Town Clerk, Carnarvon.
Merthyr Tydfil	Merthyr Tydfil, Aberdare, Mountain Ash.	Town Clerk, Merthyr Tydfil.

No. 14.

WORK RECOGNISED BY THE ADMIRALTY, ARMY COUNCIL, AND AIR COUNCIL, AS WORK OF NATIONAL IMPORTANCE IN CONNECTION WITH THE WAR IN PURSUANCE OF SECT. 5 (3) (II) (c) (*h*).

Admiralty.

Navy and Army Canteen Board.
Wesleyan Army and Navy Board.
Young Men's Christian Association.
The Salvation Army.
Young Women's Christian Association.

Army Council.

Young Men's Christian Association.
Salvation Army.
Church Army.
Scottish Churches Huts.
Catholic Women's League.
Catholic Club Huts.
United Navy and Army Board.
Soldiers' Christian Association.
The Colonial and Continental Church Society.
Navy and Army Canteen Board.
Wesleyan Army and Navy Board.
Young Women's Christian Association.

Air Council.

All the bodies recognised by the Army Council.

(*h*) See pp. 78, 85, *supra*.

APPENDIX II.

County Court Rules and Rules of Supreme Court as to Appeals to Court of Appeal from County Courts.

CONTENTS.

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No. 1.

COUNTY COURT RULES, DATED 18th JUNE, 1918, AS TO APPEALS FROM REGISTRATION OFFICERS UNDER THE REPRESENTATION OF THE PEOPLE ACT, 1918 (7 & 8 GEO. 5, c. 64), SECT. 14 (*h*).

Explanatory Memorandum.

These Rules have been framed under section 14, sub-s. 1 of the Representation of the People Act, 1918.

Rule 2 defines the court to which an appeal shall lie, as provided by s. 14, sub-s. 1.

Rule 3 provides who shall be respondents to an appeal. *See* Act, s. 14, sub-s. 1, and Sched. 1, Rule 29.

Rules 4 and 5 provide for the information to be furnished by the registration officer to the court. *See* Act, Sched. 1, Rules 29 and 30.

Rule 6 requires the appellant to send notice to the court requesting the appeal to be entered for hearing, and to pay the prescribed fee.

(*h*) See pp. 134—137, *supra*.

Rule 7 provides for cases where appeals are sent to the wrong court.

Rule 8 provides for the numbering of appeals, and for a record to be kept of such appeals.

Rule 9 provides for the fixing of a time and place for the hearing of an appeal, and for the length of notice to the parties.

Paragraph 3 applies to appeals in the present year. The work of the registration officers in framing the first register must necessarily be heavy, and it is uncertain when notices of appeal will reach the county courts; and it will be difficult for the judges to fix courts for the hearing of appeals without delay, unless special arrangements are made. Paragraph 3 therefore fixes for this year a period within which the appeals may be set down for hearing, so as to fit in with any arrangements which may be made altering the normal time for the closing of the courts during the vacation, and to provide for appeals being heard and decided in time for the register to be altered in accordance with the results before it is published.

Paragraph 4 gives power to fix the hearing of appeals at courts other than those to which the appeals lie.

Rule 10 provides for notice of hearing.

Rule 11 provides for evidence on an appeal. In most cases the statement of the registration officer may be expected to be sufficient; but as an appeal lies on question of fact, the rule provides that the parties may, by leave of the judge, give further evidence.

Rule 12 provides for the appearance of parties. With regard to par. (1) (d), the parties may under the Act, Sched. 1, Rule 39, appear by any person, which includes registration agents: and it is thought that where parties are not represented by solicitors or counsel, it would facilitate the hearing of appeals if such agents were allowed to appear, and par. (1) (d) has been framed accordingly.

Rules 13, 14 and 15 define the powers of the court on the hearing of appeals.

Rule 16 requires the judge to take a note of any question of law raised, and to furnish copies.

Rule 17 provides for costs: Paragraph 3 is taken from sect. 70 of the Registration Act of 1843.

Rule 20 provides for the consolidation of appeals in cases decided on the same points of law, or rather for the selection of one case for hearing as a test case, as contemplated by the Act, Sched. 1, Rule 30.

Rule 21 provides for service of notices, etc., and proof of service.

Rule 22 provides for fees.

Rule 23 provides that a person desiring to appeal from the county court to the Court of Appeal shall give notice to the county court of his intention to appeal, so as to enable the judge to consolidate appeals.

Rule 24 provides for the consolidation of appeals. The Rules of the Supreme Court give power to the judge of the county court to order such consolidation. The rule is based on sect. 44 of the Registration Act of 1843.

Rule 25 provides for cases in which a deputy or acting registration officer deals with the register, and notice of appeal from his decision is given.

Rule 26 provides for cases in which an assistant judge appointed under sect. 14 of the Act hears appeals.

Rule 27 provides forms for use on appeals.

Rule 28 provides for cases of non-compliance with the Rules or departure from the prescribed forms.

Rule 29 provides for the computation of time, and is based on the Act, Sched. 1, Rule 42, and the County Court Rules, Order LIV., Rules 17-19.

No. 2.

COUNTY COURT RULES, DATED 18TH JUNE, 1918, AS TO APPEALS FROM REGISTRATION OFFICERS UNDER THE REPRESENTATION OF THE PEOPLE ACT, 1918 (7 & 8 GEO. 5, c. 64), SECT. 14 (*b*).

1. *Procedure on appeals under* 7 & 8 *Geo.* 5, *c.* 64, *s.* 14.—The procedure on appeals to the county court from the decisions of registration officers under section fourteen of the Representation of the People Act, 1918 (in these Rules referred to as "the Act"), shall be governed by the following rules.

2. *Court to which appeal shall lie.*—(1) The court (*c*) to which an appeal shall lie shall be the court in the district of which the qualifying premises (as defined by this Rule) are situate, subject to paragraph 2 of Rule 7, and to the power of the judge to fix the place for the hearing of the appeal pursuant to Rule 9.

(2) For the purposes of this Rule the expression "the qualifying premises" means the premises in respect of which the person whose right to be registered is in any way in question on the appeal is entered on the electors list or claims to be entitled to be registered; or where such person is so entered or claims to be entitled to be registered in respect of residence in or occupation of premises in succession, the premises last resided in or occupied during the qualifying period as defined by section six of the Act.

(*b*) See pp. 134—137, *supra*.
(*c*) See sect. 14 (1), p. 134, *supra*.

3. *Respondents to appeal.*—Where notice of appeal is given pursuant to Rule 29 (*c*) in the first Schedule to the Act, the party (if any) in whose favour the decision of the registration officer is given shall be the respondent; and the registration officer (*d*) shall also be named as a respondent.

4. *Notice of appeal and other documents to be sent by registration officer to registrar.*—(1) On a notice of appeal being given to the registration officer pursuant to Rule 29 (*c*) in the first Schedule to the Act, he shall within seven days after the receipt of the notice forward the same by post to the registrar of the court to which the appeal lies, together in each case with—

(a) a copy of any claim or notice of objection sent to him in the matter;
(b) a statement of the material facts which in his opinion have been established in the case; and
(c) a statement of his decision upon the whole case and upon any special point which may be specified in the notice of appeal as a ground of appeal.

(2) The registration officer shall also on request furnish to the court any further information which the court may require, and which he is able to furnish.

5. *Where a number of appeals are based on similar grounds* (*Form* 1).—Where it appears to the registration officer that any notices of appeal given to him are based on similar grounds, he shall forward to the registrar a declaration to that effect, for the purpose of enabling the court, if it thinks fit, to consolidate the appeals, or to select one of such cases for hearing in the first instance as a test case (*e*).

6. *Request by appellant for entry of appeal for hearing.*—A person desiring to appeal against the decision of a registration officer shall in addition to giving notice of appeal pursuant to Rule 29 in the first Schedule to the Act forward to the registrar of the court to which the appeal lies, within the time fixed by that rule, a copy of the notice of appeal, accompanied by a request to the court, according to the form in the Appendix, to enter the appeal (Form 2) for hearing and to fix a time and place for the hearing thereof, and shall state in such request an address to which notices and other documents are to be sent, and shall with such copy and request forward to the registrar the fee prescribed by these Rules.

7. *Where notice of appeal or request forwarded to wrong court.*—(1) If any notice of appeal or request for the entry of an appeal is forwarded to a court other than the court to which it should have been forwarded, the registrar shall within two days after the receipt thereof forward the same and any documents and the fee relating to the matter to the registrar of the proper court, who shall proceed thereon as if such notice or

(*c*) See p. 350, *supra*.
(*d*) See sect. 14 (5), p. 136, *supra*.
(*e*) See First Schedule, rule 30, p. 350, *supra*.

request had been forwarded to him in the first instance; and the time within which the hearing is to be fixed shall be calculated from the date on which such request is received by him.

(2) If after an appeal has been entered for hearing and notice of the hearing has been given it appears that the notice of appeal and request for entry should have been forwarded to some other court, the judge may either—

(a) transfer the appeal to such other court, in which case it shall be dealt with as if the notice and request had been sent in the first instance to that court; or

(b) retain the appeal and deal with the same in the court in which it is entered, in which case the proceedings on the appeal shall be as valid as if it had been properly sent to that court.

8. *Notices of appeal to be numbered consecutively.*—Notices of appeal with requests for the entry of the appeals for hearing received and retained by the registrar shall be numbered by him consecutively, and shall be entered in a register to be kept by the registrar according to the form in the Appendix (Form 13); and all subsequent notices and documents relating to any such appeal shall bear the same number.

9. *Fixing time and place for hearing appeal.*—(1) On receipt of a request for the entry of an appeal for hearing the registrar shall enter the same accordingly, and shall communicate with the judge, who shall, as soon as conveniently may be, fix a time and place for the hearing of the appeal.

(2) The time to be fixed shall be within twenty-one days from the day on which the request is received by the registrar, and shall be so fixed as to allow notice of the hearing to be given to the parties and the registration officer five clear days at least before the day so fixed.

(3) Provided that in the year nineteen hundred and eighteen the time for the hearing of any appeal may be fixed for any day between the second and the twenty-first days of September, both inclusive, although the day so fixed may be more than twenty-one days from the day on which the request for the entry of the appeal is received by the registrar.

(4) The place of hearing shall be the place at which the court is held: Provided that if the judge is satisfied that any appeal can be more conveniently heard at some other court of which he is the judge, or at some other place within or without the district of the court which is available for the purpose, he may order the hearing to take place at such other court or place.

(5) Two courts for the hearing of appeals may be held on one day before the same judge.

10. *Notice of hearing to parties and registration officer.*—On the time and place for the hearing being fixed, the registrar shall give notice thereof to the appellant and to the respondent (if any), and to the registration officer, according to the form in the Appendix. Provided that where the same person is appellant or respondent in a number of appeals fixed to be heard

on the same day it shall be sufficient to send one notice only to such person (Forms 3, 4, 5), with a schedule appended thereto of the appeals to which the notice relates: Provided also, that it shall be sufficient to send one notice only to the registration officer of a number of appeals fixed to be heard on the same day, with a schedule appended thereto of the appeals to which the notice relates.

11. *Furnishing copies of documents sent by registration officer.*—(1) The registrar shall, on the application and at the cost of any party to an appeal, furnish him with a copy of any document, statement, or information forwarded by the registration officer to the registrar.

(2) *Documents to be received and used at hearing. Further evidence.*—The documents, statement, and information so forwarded shall be received and used on the hearing of the appeal, and shall be *primâ facie* evidence of the facts stated therein; but any party to the appeal may, by leave of the judge, give such further evidence as he may be advised.

(3) *Oral evidence.*—Where further evidence is tendered, oral evidence only shall be admitted, unless by consent or otherwise ordered.

(4) *Admission of certain material as* primâ facie *evidence.*—The judge may order that any material, whether strictly admissible in evidence or not, which in his opinion ought to be admitted as *primâ facie* evidence of any fact, shall be *primâ facie* evidence of that fact, so as to throw the burden of proof on to the other party.

(5) *Sending back statement for restatement.*—If in the opinion of the judge the statement forwarded by the registration officer, and the other material before the court, are not sufficient to enable him to give judgment in law, he may remit the statement to the registration officer for restatement or further statement.

12. *Appearance of parties.*—(1) Any party to an appeal may appear or act on the appeal—

(a) in person;
(b) by any solicitor who would be entitled to appear for such party in an action in the county court;
(c) by counsel; or
(d) by any other person nominated by such party in writing signed by him to appear or act on his behalf and approved by the judge;

but not otherwise.

Provided that the judge may allow any party to appear or act by a person not nominated in writing as required by paragraph (d), if he is satisfied that such person is in fact authorised to appear or act for such party, and that the failure to obtain a nomination in writing is due to mistake or other reasonable cause.

(2) No person (other than a solicitor) who appears or acts on behalf of any party to an appeal shall be entitled to have or recover any fee, reward or sum for so appearing or acting, other than such travelling expenses (if any) as may be allowed by the court: Provided that nothing in these rules contained shall affect the right of a solicitor to recover costs (subject to the limitation imposed by these rules) in respect of his employment of counsel.

13. *Amendment of notice of appeal, &c.*—The judge may at any stage of the proceedings allow the amendment of the notice of appeal, or make any other order on such terms as he may think just, to ensure the determination on the merits of the real question in controversy between the parties.

14. *Power to draw inferences of fact.*—The judge shall have power to draw all inferences of fact which might have been drawn by the registration officer, and to give any decision and make any order which ought to have been given or made by the registration officer, regard being had in particular to Rule 22 (*d*) in the first Schedule to the Act.

15. *General powers.*—Subject to the special provisions of these rules, the court shall in relation to any appeal have all the powers attaching to the exercise of its ordinary jurisdiction, and the rules governing the practice of the court shall with the necessary modifications apply accordingly.

16. *Note to be taken of question of law raised, etc., and copy furnished.*—At the hearing of an appeal the judge shall make a note of any question of law raised, and of the facts in evidence in relation thereto, and of his decision thereon, and of his decision on the hearing of the appeal: and he, where notice of appeal to the Court of Appeal has been given, shall, at the expense of any party to such appeal, furnish a copy of the note so taken to such party, and shall sign such copy, whether notice of appeal to the Court of Appeal has been given or not.

17. *Costs.*—(1) The costs of and incidental to an appeal shall be in the discretion of the judge.

(2) The judge may either fix the amount of such costs, or allow them on such scale as he may direct, and in default of any such direction they shall be taxed under Column A. of the higher scale of costs in use in the County Courts: and an order directing payment of any such costs shall be enforceable in the same manner as an order to the like effect made in an action.

(3) A respondent to an appeal, other than the registration officer, shall not be liable or entitled to costs, unless he appears before the court in support of the decision of the registration officer.

18. *Order on appeal.*—When the judge has given judgment on an appeal the registrar shall as soon as conveniently may be draw up, seal and file an order (Form 6) in accordance with the

(*d*) See p. 347, *supra*.

decision, specifying exactly every alteration or correction to be made in the electors lists or register pursuant to the order; and sealed copies of the order shall be sent to the registration officer and to each party to the appeal.

19. *Where hearing to take place at another court.*—Where the hearing of an appeal is fixed to take place at another court, the registrar of the court to which notice of appeal is sent shall forthwith send notice to the registrar of such other court that the hearing has been ordered to take place there; and he shall in sufficient time before the hearing transmit the papers to the registrar of the court at which the hearing is to take place, who shall act at the hearing for the first-mentioned registrar, and shall after the hearing return the papers to him with a minute of the order made: and the order shall be drawn up, filed, sealed and proceeded on in the court to which the notice of appeal was originally sent in like manner as if the hearing had taken place there.

20. *Consolidation of appeals to county court, or selection of one appeal for hearing as test case* (*Form* 7).—(1) Where it appears to the judge, from any declaration to that effect forwarded by the registration officer to the registrar, or otherwise, that any number of cases decided by the registration officer in which notices of appeal have been given to him and forwarded by him to the registrar, and requests for the entry of the appeals for hearing have been forwarded to the registrar, depend and have been decided by the registration officer on the same point or points of law, the judge may declare that such appeals ought to be consolidated, or that one appeal should be selected for hearing in the first instance as a test case; and thereupon the following provisions shall apply (*e*).

(2) A time and place shall be fixed for the hearing of such appeals in accordance with Rule 9, but one only of such appeals shall be selected by the judge for hearing in the first instance as a test case; and the registrar shall as soon as may be send to the parties to the selected appeal and all the other appeals, and to the registration officer, a notice according to the form in the Appendix (Form 8), informing such parties and the registration officer that it appears to the judge that the cases specified in the schedule appended to the notice depend and have been decided by the registration officer on the same point or points of law, and that the judge has directed that the selected appeal shall be heard in the first instance as a test case. The provisoes to Rule 10 shall apply to notices sent under this Rule.

(3) The notice shall further request the parties to the other appeals to give notice (Form 9) to the registrar and to the opposite parties and the registration officer, within three days from the date of the notice sent by the registrar, either that they consent to be bound by the decision on the selected appeal

(*e*) See First Schedule, rule 30, p. 350, *supra*.

(without prejudice to their right to appeal to the Court of Appeal), or that they require the appeals to which they are parties to be heard.

(4) Where the same person is appellant or respondent in a number of such appeals, it shall be sufficient for him to send separate notices (Form 10) to the respondents or appellants (other than the registration officer) in such appeals, and one notice only to the registrar and to the registration officer, with a schedule appended thereto of the appeals to which the notice relates.

(5) In the case of any appeal in which no notice requiring such appeal to be heard is sent, the parties shall be deemed to consent to be bound by the decision on the selected appeal (without prejudice to their right to appeal to the Court of Appeal); and in any such case, after the selected appeal has been disposed of, an order similar to that made on the selected appeal shall be made without further hearing, but no costs shall be allowed to either side, other than the court fees and the costs of and incidental to the notice of appeal and the request for the entry of the appeal for hearing, and the notice sent by the registrar and any notice sent in reply thereto, and the costs of and incidental to the order.

(6) The parties who consent or under this rule are to be deemed to consent to be bound by the decision on the selected appeal, and who are in the same interest as the unsuccessful party to such appeal, shall be liable for the costs of the selected appeal in the same manner and to the same extent as the unsuccessful party to such appeal, and an order directing them to pay such costs may be made and enforced accordingly.

(7) In the case of any appeal in which notice requiring the appeal to be heard is sent, such appeal shall be heard after the selected appeal is disposed of; but a party requiring any such appeal to be heard shall be liable to pay costs to the opposite party, and shall not be entitled to receive any costs of or in such appeal, other than the court fees and the costs of and incidental to the notice of appeal and the request for the entry of the appeal for hearing, and the notice sent by the registrar and any notice sent in reply thereto, and the costs of and incidental to the order, unless the judge shall otherwise order.

21. *Service of notices and documents.*—(1) Any notice or other document required or authorised by these Rules to be sent to the registration officer may be sent to him by post addressed to him at his office. Any notice or other document required or authorised by these Rules to be sent to any other person shall be sufficiently sent if sent by post to the address of such person as given by him for the purpose or appearing on the documents forwarded to the Court, or, if there is no such address, to his last known place of abode. Provided that where any such person acts by a solicitor or by a person nominated in writing pursuant to Rule 12, paragraph 1, sub-paragraph (d), any such

notice or document may be sent by post to such solicitor or person at the address for service given by him.

(2) *Proof of service.*—Any such notice or document shall, unless the contrary be proved, be deemed to have been served at the time when the same would have been delivered in the ordinary course of post, and in proving the service thereof it shall be sufficient to prove that the same was properly addressed and posted.

22. *Fees.*—An inclusive fee of 10*s.* shall be payable under Part I. of Schedule B. of the Treasury Order regulating Fees in the County Courts on every appeal before the appeal is entered for hearing.

Such fee shall cover all work done by the registrar in relation to the appeal, other than the taxation of costs where such costs are taxed under any column of the higher scale of costs, for which a fee of 2*s.* 6*d.* shall be taken under Part I. of the said Schedule B., and making copies of documents for the use of any party to the appeal, for which 4*d.* per folio shall be allowed.

Where the hearing of an appeal is to take place at another court, the registrar of the court to which the notice of appeal is sent shall account to the treasurer of his court for one-fourth part of the said fee of 10*s.* as a foreign fee, and the treasurer of the court at which the hearing is to take place shall allow such one-fourth part to the registrar of that court.

23. *Notice of appeal from county court to Court of Appeal.*—A person desiring to appeal to the Court of Appeal against the decision of the county court on any appeal shall give notice of his intention to appeal to the registrar and to the registration officer and to the opposite party, if any, according to the form in the Appendix (Form 11), when the decision is given, or within five days thereafter, specifying the grounds of appeal.

24. *Consolidation of appeals from county court to Court of Appeal.*—(1) Where it appears to the judge that the validity of any number of decisions given by the county court on appeals from the decisions of the registration officer depends upon the same point or points of law, and the parties to such appeals or any of them have given notice to the registrar of their intention to appeal to the Court of Appeal, the judge may, whether the appeals to the county court have or have not been consolidated, declare that the appeals to the Court of Appeal ought to be consolidated; and thereupon the following provisions shall apply.

(2) In any such case the judge, after making and furnishing a copy of a note in one of such appeals as provided by Rule 16, shall make and sign a statement according to the form in the Appendix (Form 12) that the several persons whose names and qualifications are set out in a schedule to be appended to the statement were parties as appellants or respondents to appeals from decisions of the registration officer given in circumstances similar to those in the case in which the note is made, and that similar decisions were given on all the said appeals (the numbers

of the several appeals to which the said persons respectively were parties being set opposite to their respective names in the schedule), and that due notice of appeals from such decisions was given, and that he declared that the appeals in all the said cases ought to be consolidated.

(3) And he may name any person interested and consenting to be appellant or respondent in the consolidated appeal on behalf of himself and all other persons interested in like manner in the appeals who consent to be parties to and to be bound by the consolidated appeal, and such person shall sign a declaration that he appeals (Form 12) on behalf of himself and all the other persons interested as appellants whose names are written under the declaration, and agrees to prosecute the appeal, or that he agrees on behalf of himself and all the other persons interested as respondents whose names are written under the declaration to appear and answer the appeal; and the names and qualifications of every party intended to be joined shall be written under the declaration; and the declaration so signed shall be delivered to the registrar, and a copy thereof shall be appended to the statement made by the judge; and every party whose name is so written shall be deemed to consent to be a party to and to be bound by the consolidated appeal.

25. *Where deputy or temporary registration officer appointed.*—Where any deputy registration officer approved under sub-section three, or any person temporarily appointed under sub-section four of section twelve (*f*) of the Act performs the duties and exercises the powers of the registration officer in relation to the formation of the register, and notice of appeal against any decision of such deputy or other person is given, the provisions of these Rules as to the registration officer shall as regards such appeal apply to such deputy or other person as they apply to the registration officer as regards cases dealt with by him, and references in these Rules to the registration officer shall as regards such appeal be construed as referring to such deputy or other person accordingly.

26. *Where assistant judge appointed.*—Where an assistant judge appointed pursuant to sub-section six of section fourteen of the Act is performing any of the duties of the judge under the Act, references in these Rules to the court or judge shall be construed as referring to such assistant judge (*g*).

27. *Forms.*—(1) The forms in the Appendix to these Rules, with such modifications as may be necessary, shall be used for notices and orders under these Rules.

(2) The registrar of any court may apply to the Treasury for any of the said forms to be printed and supplied to him, and if the application is granted may obtain such forms and supply such of the same as are to be used by parties to appeals, without charge, for the use of parties requiring the same.

(*f*) See pp. 130, 131, *supra*.
(*g*) See sect. 14 (6), pp. 136, 137, *supra*.

28. *Non-compliance with rules or forms.*—(1) Non-compliance with any of these Rules or any departure from the forms in the Appendix shall not render any proceedings void unless the judge shall so direct, but such proceedings may be set aside either wholly or in part as irregular, or may be amended or otherwise dealt with in such manner and upon such terms as the judge may think fit.

29. *Reckoning of time.*—In reckoning time for the purposes of these Rules Sunday, Christmas Day, Good Friday, and any bank holiday or day set apart as a public holiday or day of public fast, humiliation or thanksgiving, or any day on which the offices of the court are closed, shall be excluded, and where the time for doing any act or taking any proceeding under these Rules expires on any such day, such act or proceeding shall, so far as regards the time of doing or taking the same, be held to be duly done or taken if done or taken on the next day not being one of any such days.

30. *Short title.*—These Rules may be cited as the County Court (Registration Appeals) Rules, 1918.

APPENDIX OF FORMS.

No. 1.

Declaration by Registration Officer that it appears to him that a number of Notices of Appeal are based on similar grounds.

The Representation of the People Act, 1918.

I hereby declare that it appears to me that the notices of appeal given to me in the cases mentioned in the Schedule hereto are based on similar grounds, and I forward to the Court this declaration accordingly, for the purpose of enabling the Court (if the Court thinks fit) to consolidate the appeals, or to select one of such cases for hearing in the first instance as a test case.

The day of , 19 .

Registration Officer.

To the Registrar of the County Court
of held at .

Schedule.

No.	Appellant.	Respondents.
1	A.B., of (*address*).	C.D., of (*address*), and the Registration Officer for *And so on.*

Registration Officer.

No. 2.

Request by Appellant for Entry of Appeal.

In the County Court of held at .

In the Matter of the Representation of the People Act, 1918,

and

In the Matter of an Appeal against the decision of the Registration Officer for .

Between

A. B.
of (*address*) Appellant

and

C. D.
of (*address*)

and

The Registration Officer for , Respondents.

SIR,

I HEREWITH forward to you copy of the notice of appeal in the above-mentioned matter given to the above-named C. D. and to the Registration Officer.

I request the Court to enter the appeal for hearing, and to fix a time and place for the hearing thereof.

I enclose the sum of 10*s.* for the fee payable on the entry of the appeal for hearing.

Dated this day of , 19 .

A. B. , Appellant.
(*add address*)

to which address all notices or other documents are to be sent.
To the Registrar of the County Court
of held at .

No. 3.

Notice of Time and Place for Hearing of Appeal.

In the County Court of held at .

In the Matter of the Representation of the People Act, 1918.

No. of Appeal.

and

In the Matter of an Appeal against the decision of the Registration Officer for .

Between

A. B.
of (*address*) Appellant

and

C. D.
of (*address*)

and

The Registration Officer for , Respondents.

TAKE NOTICE, that the above-mentioned appeal will be heard at a Court to be held at on the day of , 19 , at the hour of in the noon;

And that if you do not attend either in person or by your solicitor at the time and place above-mentioned such proceedings will be taken and order made as the Judge may think just.

Dated this day of , 19 .

Registrar.

To (*the Appellant and the Respondent (if any) named in the notice of appeal*)
and to the Registration Officer for .

No. 4.

Notice of Time and Place for Hearing to Appellant or Respondent in a number of Appeals fixed to be heard on the same day.

In the County Court of held at .

In the Matter of the Representation of the People Act, 1918,

and

In the Matter of the several Appeals against the decisions of the Registration Officer for enumerated in the Schedule hereto.

TAKE NOTICE, that the several appeals enumerated in the Schedule hereto in which you are the Appellant [*or* the Respondent] will be heard at a Court to be held at on the day of , 19 , at the hour of in the noon;

And that if you do not attend either in person or by your solicitor at the time and place above-mentioned such proceedings will be taken and orders made on the said appeals as the Judge may think just.

Dated this day of , 19 .

Registrar.

To (*the Appellant or the Respondent, naming him*).

Schedule of Appeals.

No.	Appellants.	Respondents.
	Where same	*Appellant.*
1	A.B., (*address*).	C.D., (*address*), and the Registration Officer.
2	The same.	E.F., (*address*), and the Registration Officer.
3	*And*	*so on.*
	Or, *where same*	*Respondent.*
4	G.H., (*address*).	I.J., (*address*), and the Registration Officer.
5	K.L., (*address*).	The same.
6	M.N., (*address*).	The same.
	And	*so on.*

Registrar.

No. 5.

Notice to Registration Officer of Time and Place for Hearing of a Number of Appeals fixed to be Heard on the same Day.

In the County Court of held at .

In the Matter of the Representation of the People Act, 1918,

and

In the Matter of the several Appeals against the decisions of the Registration Officer for enumerated in the Schedule hereto.

TAKE NOTICE, that the several appeals enumerated in the Schedule hereto will be heard at a Court to be held at on the day of , 19 , at the hour of in the noon;

And that if you do not attend either in person or by your solicitor at the time and place above-mentioned such proceedings will be taken and orders made on the said appeals as the Judge may think just.

Dated this day of , 19 .

Registrar.

To the Registration Officer for .

Schedule of Appeals.

No.	Appellant.	Respondent.
1	(*Name and address*).	(*Name and address*), and the Registration Officer.
2	(*Name and address*).	(*Name and address*), and the Registration Officer.
	And so on.	

Registrar.

No. 6.

Order on Appeal.

In the County Court of held at .

In the Matter of the Representation of the People Act, 1918, No. of Appeal.

and

In the Matter of an Appeal against the decision of the Registration Officer for .

Between

A. B.
of (*address*) Appellant

and

C. D.
of (*address*)

and

The Registration Officer for , Respondents.

Upon hearing for the Appellant and for the Respondent C. D. and for the Registration Officer .

It is ordered that the decision of the Registration Officer refusing to enter the name of the above-named A. B. on the Register of Parliamentary Electors for the Registration Area of in the Polling District of in the Constituency of .

[*or* (*state the decision appealed against*)

be reversed [*or* varied] and that (*state the order made, and the exact alteration or correction to be made in the electors list or register pursuant to the order*)

;

And it is ordered that the Appellant be allowed against the Respondent C. D. , and against the Registration Officer [*or* against the Registration Officer] his costs of and incidental to this appeal, which are hereby allowed at the sum of £ [*or* to be taxed by the Registrar under Column A. of the higher scale of costs in use in the county courts];

And it is ordered that the Respondents or one of them [*or* the Registration Officer] do pay the said sum of £ to the Registrar for the use of the Appellant on or before the day of , 19 , [*or* do pay the amount of the said costs when taxed to the Registrar for the use of the Appellant within fourteen days from the date of the Registrar's certificate of the result of the taxation].

[*or* It is ordered that the decision of the Registration Officer (*state the decision*)

be affirmed;

And it is ordered that the Respondents C. D. and the Registration Officer [*or* the Registration Officer] be allowed against the Appellant their [*or* his] costs of and incidental to this appeal, which are hereby allowed in the case of the Respondent C. D. at the sum of £ and in the case of the Registration Officer at the sum of £ [*or* which are hereby allowed at the sum of £] [*or* to be taxed by the Registrar under Column A. of the higher scale of costs in use in the county courts];

And it is ordered that the Appellant do pay the said sums of £ and £ to the Registrar for the use of the Respondents respectively [*or* do pay the said sum of to the Registrar for the use of the Registration Officer] on or before the day of , 19 [*or* do pay the amount [*or* amounts] of the said costs when taxed to the Registrar for the use of the Respondents respectively [*or* for the use of the Registration Officer] within fourteen days from the date of the Registrar's certificate of the result of the taxation].

Dated this day of , 19 .

By the Court,
Registrar.

To (*the Appellant and the Respondent, naming them*) and to the Registration Officer for .

No. 7.

Declaration by Judge that Appeals depending on the same Point or Points of Law ought to be Consolidated.

In the County Court of held at .

In the Matter of the Representation of the People Act, 1918,

and

In the Matter of the several Appeals against the decisions of the Registration Officer for enumerated in the Schedule hereto.

It appearing to me that the several cases enumerated in the Schedule hereto depend and have been decided by the Registration Officer on the same point or points of law,

I declare that such appeals ought to be consolidated.

And I select the Appeal No.

Between

A. B.
of (*address*) Appellant

and

C. D.
of (*address*)

and

The Registration Officer for , Respondents.

for hearing in the first instance as a test case.

Dated this day of , 19 .

Judge
[*or* Assistant Judge].

Schedule of Appeals.

No.	Appellant.	Respondents.
1	(*Name and address*). *And so on.*	(*Name and address*), and the Registration Officer.

Judge
[*or* Assistant Judge].

No. 8.

Notice of Consolidation of Appeals and Selection of One Appeal for Hearing in the First Instance as a Test Case.

In the County Court of held at .

In the Matter of the Representation of the People Act, 1918,

and

In the Matter of the several Appeals against the decisions of the Registration Officer for enumerated in the Schedule hereto.

TAKE NOTICE, that it appears to the Judge that the several cases enumerated in the Schedule hereto depend and have been

decided by the Registration Officer on the same point or points of law, and the Judge has declared that the appeals ought to be consolidated, and has selected the Appeal No. therein

Between

A. B.
of (*address*) Appellant

and

C. D.

and

The Registration Officer for , Respondents,

for hearing in the first instance as a test case.

The said appeal will be heard at a Court to be holden at on day of , 19 , at the hour of in the noon, and all the other appeals enumerated in the Schedule hereto have been set down for hearing at the same time and place.

I have therefore to request you to give notice in writing to me, and to the opposite party [*or* parties], if any, to the appeal [*or* appeals] to which you are a party, and to the Registration Officer, within three clear days from the date of this notice, either that you consent to be bound by the decision on the selected appeal (without prejudice to your right to appeal to the Court of Appeal), or that you require the appeal [*or* appeals] [*or* any and, if so, which of the appeals] to which you are a party to be heard.

If you are Appellant or Respondent in a number of the said appeals, it will be sufficient for you to send separate notices to the Respondents or Appellants other than the Registration Officer in such appeals, and to send one notice only to me and to the Registration Officer, with a list appended thereto of the appeals to which the notice relates.

In the case of any appeal in which no notice requiring such appeal to be heard is so sent you will be deemed to consent to be bound by the decision on the selected appeal (without prejudice to your right to appeal to the Court of Appeal); and in any such case, after the selected appeal has been disposed of, an order similar to that made on the selected appeal will be made without further hearing on the appeal [*or* appeals] in which no notice is so sent: but no costs will be allowed to either side, other than the Court fees and the costs of and incidental to the notice [*or* notices] of appeal and the request for the entry of such appeal [*or* appeals] for hearing, and this notice and any notice sent in reply thereto, and the costs of and incidental to the order [*or* orders] made.

The parties who consent or are to be deemed to consent to be bound by the decision on the selected appeal, and who are in the same interest as the unsuccessful party to such appeal, will be liable for the costs of such appeal in the same manner and to the same extent as the unsuccessful parties to such appeal, and an order directing them to pay such costs may be made and enforced accordingly.

If you send notice requiring any appeal to which you are a party to be heard, such appeal will be heard after the selected appeal is disposed of; but you will be liable to pay costs to the opposite party, and will not be entitled to receive any costs of or in such appeal, other than the Court fees and the costs of and incidental to the notice of appeal and the request for the entry of the appeal for hearing, and this notice and any notice sent in reply thereto, and the costs of and incidental to the order, unless the Judge shall otherwise order.

Dated this day of , 19 .

Registrar.

To the parties to the several appeals mentioned in the Schedule hereto, and to the Registration Officer for .

Schedule of Appeals.

No.	Appellant.	Respondents.
1	(*Name and address*).	(*Name and address*), and the Registration Officer.
2	(*Name and address*).	(*Name and address*), and the Registration Officer).
	And so on.	

Registrar.

No. 9.

Notice consenting to be bound by Decision on Selected Appeal, or requiring Appeal to be heard.

In the County Court of held at .

In the Matter of the Representation of the People Act, 1918,

and

In the Matter of an Appeal against the decision of the Registration Officer for

No. of appeal.

Between

E. F.
(*address*) Appellant

and

G. H.
(*address*)

and

The Registration Officer for , Respondents.

Pursuant to the Notice sent to me by the Registrar, dated the day of , 19 , I hereby give you notice that I

consent to be bound in the above-mentioned appeal by the decision of the Court on the selected appeal

Between

A. B. Appellant

and

C. D.

and

The Registration Officer for , Respondents,

without prejudice to my right to appeal to the Court of Appeal.

[*or* I hereby give you notice that I require the above-mentioned appeal to which I am a party to be heard after the selected appeal

Between

A. B. Appellant

and

C. D.

and

The Registration Officer for , Respondents,

has been disposed of.]

Dated this day of , 19 .

E. F. Appellant

[*or* G. H. Respondent.]

(*add address*)

To the Registrar of the Court
and to (*the Respondent or the Appellant*)
and to the Registration Officer for .

No. 10.

Notice to Registrar and Registration Officer consenting to be bound by Decision on Selected Appeal, or requiring Appeals to be heard, where the same Person is Appellant or Respondent in a number of Appeals.

In the County Court of held at .

In the Matter of the Representation of the People Act, 1918,

and

In the Matter of the several Appeals against the decisions of the Registration Officer for enumerated in the Schedule hereto.

Pursuant to the Notice sent to me by the Registrar, dated the day of , 19 , I hereby give you notice that I consent to be bound in the several appeals enumerated in the Schedule hereto to which I am a party by the decision of the Court on the selected appeal

Between

A. B. Appellant

and

C. D.

and

The Registration Officer for , Respondents,

without prejudice to my right to appeal to the Court of Appeal.

[*or* I hereby give you notice that I require the several appeals enumerated in the Schedule hereto to which I am a party to be heard after the selected appeal

Between

A. B. Appellant

and

C. D.

and

The Registration Officer for , Respondents,

has been disposed of.]

[*or* I hereby give you notice that I consent to be bound in the several appeals enumerated in the first part of the Schedule hereto to which I am a party by the decision of the Court on the selected appeal

Between

A. B. Appellant

and

C. D.

and

The Registration Officer for , Respondents.

without prejudice to my right to appeal to the Court of Appeal; But that I require the several appeals enumerated in the second part of the Schedule hereto to which I am a party to be heard after the selected appeal has been disposed of.]

Dated this day of , 19 .

E. F. Appellant

[*or* G. H. Respondent.]

(*add address*)

To the Registrar of the Court

and to the Registration Officer for .

Schedule.

PART I.

Appeals in which the Appellant or Respondent consents to be bound.

No.	Appellant.	Respondents.

PART II.

Appeals which the Appellant or Respondent requires to be heard.

No.	Appellant.	Respondents.

E. F.
[*or* G. H.
or R. S.]

No. 11.

Notice of Intention to Appeal to Court of Appeal.

In the County Court of held at .

In the Matter of the Representation of the People Act, 1918. No. of appeal.

and

In the Matter of an Appeal against the decision of the Registration Officer for

Between

A. B.
of (*address*) Appellant

and

C. D.
of (*address*)

and

The Registration Officer for , Respondents.

TAKE NOTICE, that I intend to appeal to the Court of Appeal from the decision of the Judge on the hearing of the above-mentioned appeal on the day of , 19 , whereby (*state the decision appealed against*)

The grounds of my appeal are (*state grounds*) .

Dated this day of , 19 .

A. B. Appellant.
or C. D. Respondent.
(*add address*)

To (*the opposite party, if any*) and to the Registration Officer for and to the Registrar of the Court.

No. 12.

Statement by Judge that Appeals to the Court of Appeal against Decisions depending upon the same Point or Points of Law ought to be Consolidated.

In the County Court of held at .

In the Matter of the Representation of the People Act, 1918,
No. of appeal.

and

In the Matter of an Appeal against the decision of the Registration Officer for

Between

A. B. Appellant
of (*address*)

and

C. D.
of (*address*)

and

The Registration Officer for , Respondents,

and

In the Matter of the several other Appeals against the decision of the said Registration Officer referred to by number in the Schedule hereto.

At a Court held before me at on the day of , 19 , A. B. of appealed against the decision of the Registration Officer for (*state the decision appealed against*)

On the hearing of the said appeal I decided (*state the decision*)

The questions of law raised on the appeal, and the facts in evidence in relation thereto, and my decision thereon and my decision on the hearing of the appeal, are stated in a note made and signed by me.

The several persons whose names and qualifications are set out in the Schedule hereto were parties as Appellants [*or* Respondents] to appeals (numbered in the Schedule hereto) from decisions of the Registration Officer given in circumstances similar to those in the case in which the said note was made, and similar decisions were given by me on all the said appeals.

Due notice of appeal against my decisions was given, and I declared that the appeals in all the said cases ought to be consolidated.

And I name A. B. of to be Appellant [*or* C. D. of to be Respondent] in the consolidated appeal on behalf of himself and all other persons interested in like manner who consent to be parties to and to be bound by the consolidated appeal.

Dated this day of , 19 .

Judge
[*or* Assistant Judge].

Declaration to be Signed by Person named as Appellant.

I, A. B. of , hereby declare that I appeal against the decisions of the County Court in the above mentioned cases on behalf of myself and all other persons interested as Appellants whose names and qualifications are hereunder written in the Schedule hereto, and I agree to prosecute the consolidated appeal.

Dated this day of , 19 .

A. B. Appellant.
(*add address*)

Declaration to be Signed by Person named as Respondent.

I, C. D. of , on behalf of myself and all the other persons interested as Respondents in the appeals in the above mentioned cases whose names and qualifications are hereunder written in the Schedule hereto, do agree to appear and answer the consolidated appeal.

Dated this day of , 19 .

C. D. Respondent.
(*add address*)

SCHEDULE.

List of Appeals.

PART I.

Names and Qualifications of Persons interested as Appellants, who consent to be parties to and to be bound by the Consolidated Appeal.

No. of Appeal.	Name and Qualification.

A. B.

PART II.

Names and Qualifications of Persons interested as Respondents, who consent to be parties to and to be bound by the Consolidated Appeal.

No. of Appeal.	Name and Qualification.

C. D.

No. 13.

Register of Appeals.

Register of Appeals from Registration Officers under the Representation of the People Act, 1918, Section 14.

No. of Appeal.	Name and Address of Appellant.	Names and Addresses of Respondents.	Date when requests for entry received.	Fee on request.	Date and place of hearing.	Appearance.		Minute of Order.	Costs allowed.	Result of Appeal (if any) to Court of Appeal.
						Appellant.	Respondents.			

No. 3.

THE COUNTY COURT RULES, 1918 (No. 2), DATED 18TH JUNE, 1918.

ORDER I.

COURT AND OFFICES.

The following Rule shall stand as Order I., Rule 2a, of the County Court Rules, 1903, viz.:—

1. *Fixing of courts, &c., to fit in with hearing of registration appeals.*—To enable the judges to make arrangements for the hearing of appeals from registration officers under section 14 of the Representation of the People Act, 1918, the following provisions shall have effect until the expiration of the time required for hearing appeals relating to the spring register in the year nineteen hundred and nineteen, viz.:—

(1) Notice of any day or hour appointed for the holding of any court for the transaction of the ordinary business of the court may be affixed under Rule 1 of this Order at any time not less than six weeks before the day or hour so appointed:

(2) Two courts for the transaction of such business may be held on one day before the same judge, or before any assistant judge appointed under section 14 of the said Act, without the consent of the Lord Chancellor.

ORDER VII.

PLAINT NOTE AND SUMMONS.

Summons on Plaint.

2. The following paragraph shall stand as paragraph 2 of Order VII., Rule 1, viz.:—

(2) The words "[*or*, if the claim exceeds £50, ten clear days]" shall be omitted from paragraph 5 of the indorsement on Form 23.

ORDER XXIIA.

THE COUNTY COURTS ACT, 1903.

[3 Edw. 7, c. 42.]

General Provisions as to Procedure

3. The words "Rules 2 to 19" shall be substituted for the words "Rules 2 to 20" in Order XXIIA., Rule 1.

ORDER XXV.

ENFORCEMENT OF JUDGMENTS AND ORDERS.

The following Rule shall stand as Order XXV., Rule 20a, viz.:—

4. *Receipt for money paid to bailiff under process, and copy* (*Form* 166).—Whenever any money is levied or paid to a bailiff under any execution or other process, the bailiff shall give a receipt for the same, and retain a carbon copy of such receipt, according to the form in the Appendix, which is hereby substituted for Form 166.

ORDER XLIII.

TAXATION OF CHARGES OF RETURNING OFFICERS.

The following Rules shall stand as Order XLIII., Rules 9 to 19, viz.:—

THE REPRESENTATION OF THE PEOPLE ACT, 1918.

Taxation of Accounts and Examination of Claims under the Representation of the People Act, 1918, *Section* 29.

5. *Taxation of accounts or examination of claims under* 7 & 8 *Geo.* 5, *c.* 64, *s.* 29.—The foregoing Rules of this Order shall not apply to the taxation of accounts of returning officers or the examination of claims against returning officers under section 29 of the Representation of the People Act, 1918, but such taxation or examination shall be regulated by the following Rules.

6. *Application for taxation.*—An application by the Treasury to the court for the taxation of the accounts of a returning officer under the said section shall be made in writing addressed to the registrar at his office.

7. *Notice of time and place for taxation.*—On receipt of the application the court shall fix a place and time for proceeding with such taxation, and the registrar shall issue to the bailiff for

service on the Treasury and the returning officer notices, signed by the registrar and under the seal of the court, stating the place, day and hour at and on which the taxation will be proceeded with, and requiring the parties to attend and produce documents and be examined, and warning them that if they do not attend in person or by their solicitors such proceedings will be taken and certificate given as to the court shall seem just.

8. *Application for examination of claim against returning officer.*—Where application is made for the taxation of a returning officer's account, and such officer applies to the court to examine any claim made by any person against him in respect of matters charged in the account, such application shall be made in writing addressed to the registrar at his office, and shall contain a submission on the part of the applicant to pay what shall be found due on examination.

9. *Notice of time and place for examination.*—On receipt of any such application the court shall fix a place and time for such examination, which shall take place before the taxation of the returning officer's account is concluded, and such taxation shall if necessary be adjourned until such examination has been completed. The registrar shall issue to the bailiff for service on the returning officer and the person making the claim notices, signed by the registrar and under the seal of the court, stating the place, day and hour at and on which such examination will be proceeded with, and requiring the parties to attend and produce documents and be examined, and warning them that if they do not attend in person or by their solicitors such proceedings will be taken and order made as to the court shall seem just.

10. *Service of notices.*—(1) The bailiff shall serve all such notices as hereinbefore mentioned ten clear days at least before the day fixed for any taxation or examination unless the court gives leave for shorter service.

(2) Service may be effected in accordance with Order LIV., Rules 2 and 3.

(3) Where any notice is to be served on the Treasury, it may be served on the Permanent Secretary or the Solicitor to the Treasury.

11. *Evidence to be oral.*—Unless by consent, or otherwise ordered, oral evidence only shall be admitted on any taxation or examination.

12. *Certificate on taxation.*—(1) On the hearing of an application for taxation, or at any adjournment thereof, the court shall determine the amount payable to the returning officer, and shall specify the amount in a certificate, which shall be signed in duplicate and sent by post to the parties: but no order directing payment shall be inserted in the certificate except in the case mentioned in paragraph 3 of this Rule.

(2) *Fees and costs.*—The court may determine by whom the court fees are to be paid, and may order either party to pay such sum as the court may consider proper by way of costs to the other party, and the amount allowed in respect thereof shall be

added to or deducted from the amount payable to the returning officer, and the amount to be included in the certificate shall be adjusted accordingly.

(3) *Order for payment where balance due from returning officer.*—If the court orders any sum to be paid by way of fees and costs to the Treasury, and such sum exceeds the amount certified to be payable by the Treasury to the returning officer, or if the amount already advanced by the Treasury to the returning officer on account of his charges exceeds the amount certified to be payable to him, the court shall certify the amount of the excess, and shall order the amount so certified to be paid to the Treasury, and the order shall be enforceable in like manner as a judgment of the court.

13. *Order on examination of claim.*—On the hearing of an application for the examination of a claim, or at any adjournment thereof, the court may allow or disallow or reduce the claim, and may determine by whom the court fees are to be paid, and may order either party to pay such sum as the court may consider proper by way of costs to the other party, and may give directions as to the addition to the sum allowed to the claimant of any costs ordered to be paid to him, or the set off against such sum of any fees and costs ordered to be paid by him, and as to the payment of the balance ascertained to be due from either party to the other.

14. *Forms* 423, 424, 425A, 426—428.—Forms 423, 424, 426, 427 and 428 in the Appendix, entitled in the Matter of the Representation of the People Act, 1918, and of the election in question, and with the necessary modifications, may be used for applications for taxation of accounts or examination of claims, notices of time and place fixed for taxation or examination, and orders on examination of claims under these Rules; and Form 425A in the Appendix, with the necessary modifications, may be used for certificates on taxation.

15. *Fees.*—The fees payable under the Treasury Order regulating Fees in the County Courts for taxation of accounts and examination of claims under Rules 1 to 8 of this Order shall apply to taxations and examinations under these Rules, with the following modification, that where a notice is served by the high bailiff by post the fee for such service shall be 6*d.* only.

ORDER LIII.

Costs and Allowances to Witnesses.

The following Rule shall stand as Order LIII., Rule 50, viz.:—

Increase of Costs during Continuance of War.

16. *Increase of costs during war.*—(1) During the continuation of the present war, and thereafter until such date as the Lord Chancellor shall appoint, the total of any items of costs (as

distinct from payments) in respect of business done after the thirtieth day of April nineteen hundred and eighteen in any action or matter commenced in or remitted to a county court, or in proceedings under the Workmen's Compensation Act, 1906, shall where costs are payable under Column B or Column C of the higher scale be increased by 20 per centum, and such increase shall be allowed upon any taxation or assessments of costs in respect of any such business as well as between party and party as between solicitor and client.

(2) Provided that this Rule shall not affect any power to direct payment of a fixed or gross sum in respect or in lieu of costs.

(3) Provided also that where any items of costs are increased under Rule 8 of this Order, or costs are allowed on any scale higher than that which would otherwise be applicable, the increase authorised by this rule shall not be allowed in respect of such items or in respect of costs allowed on such higher scale, unless the judge otherwise orders.

(4) Provided also that this Rule shall not apply to bills of costs which have at the date when this Rule comes into operation already been delivered to the client sought to be charged therewith or to the person chargeable therewith or liable therefor, or to bills already taxed and certified or allowed.

(5) The increase hereby authorised shall not affect the question whether a bill of costs when taxed is or is not less by one sixth part than the bill delivered, sent, or left.

APPENDIX.

166 instead of 166.

RECEIPT FOR MONEY LEVIED OR PAID UNDER PROCESS.

No. .

County Court.

No. of Plaint . No. of Execution or other Process .

v.

Received the day of of the above named the sum of pounds shillings and pence:—

On account of—

Debt and costs	£	:	:
Possession fees	£	:	:
Total	£	:	:

Bailiff.

N.B.—This form to be printed and numbered in duplicate on thin paper, 6 inches long by 4 inches deep, and bound up in books, 50 duplicates in each book.

Dated the day of , 1918.

425A.

CERTIFICATE ON TAXATION UNDER THE REPRESENTATION OF THE PEOPLE ACT, SECTION 29.

[*Not to be printed, but to be used as a precedent.*]

In the County Court of holden at .
In the Matter of the Representation of the People Act, 1918, Section 29,
and
In the Matter of an Election of a Member to serve in Parliament for the Division of the County of
[*or as the case may be*].

On the application of the Treasury for the taxation of the account of the charges of the returning officer at the above-mentioned election in respect of such election,

The Court doth determine that the amount payable to the said in respect of such charges is the sum of £ , and doth certify the same accordingly:

And the Court doth further determine that the Court fees payable on this application, amounting to £ , are to be paid by :

And doth further order that do pay to the sum of £ by way of costs in respect of this application:

And the Court doth certify that the amount payable to the said , including the costs payable to him as aforesaid [*or* after deducting the fees and costs payable by him as aforesaid] is the sum of £ .

[*Or, if the balance, after adjusting the fees and costs, and giving credit for any amount already advanced on account of his charges, is against the returning officer,*

And the Court doth certify that the balance due from the said after crediting him with the amount payable to him in respect of his charges and debiting him with the amount payable by him for Court fees and costs and the amount already advanced to him on account of his charges, is the sum of £ ;

And doth order that the said do on or before the day of , 19 , pay the said sum of £ to the registrar of this Court for the use of the Treasury.]

Given under the seal of the Court this day of , 19 .

By the Court,
Registrar.

To the Treasury
and to
[*The Returning Officer*].

NOTES.

Rule 1 enables the judges to fix courts for the transaction of ordinary business so as to fit in with the arrangements which must be made by them for the hearing of appeals from registration officers under the Representation of the People Act, 1918. The majority of these appeals will probably come in for hearing about the same time; and as it will be necessary that they should be dealt with as soon as possible, the judges will have to make arrangements accordingly. The Rule accordingly provides that instead of being required to fix courts for ordinary business 3 months beforehand, as required by the present Rule, they may delay the fixing of such courts until they know approximately what time will be required for the hearing of appeals, and to give 6 weeks notice only of the times fixed for such courts; and further that in country districts where the ordinary business is not likely to require a full day they may fix two courts to be held on the same day, so as to allow more free days for the hearing of appeals.

Rule 2.—The words omitted from Form 23 were inserted by the Rules of 1914. This was done *per incuriam*, as Order XXIIA., Rule 10, altering the time for filing notice of defence, &c., in actions under the extended jurisdiction conferred by the Act of 1903, applies only to ordinary and not to default summonses; see Order XXIIA., Rule 1.

Rule 3 corrects a clerical error in Order XXIIA., Rule 1.

Rule 4 provides a new form of receipt to be given by a bailiff for money paid under process, and for a carbon copy being kept, as suggested by the Treasury.

Rules 5 to 15 are based on the existing Rules as to the taxation of the accounts of returning officers, which are still in force as to elections other than parliamentary elections. The only substantial difference is that as the expenses are to be paid by the Treasury a certificate of the amount found to be payable is substituted for an order for payment, as in the case of determination by the county court of a difference as to the amount to be paid for carriages, etc., requisitioned under sect. 115 of of the Army Act, 1881.

Rule 16 provides for the increase of costs during the war, following the Rule recently made for the Supreme Court.

No. 4.

REGISTRATION APPEALS RULE, 1918 (BEING RULES OF THE SUPREME COURT AS TO APPEALS TO THE COURT OF APPEAL FROM THE COUNTY COURTS UNDER THE REPRESENTATION OF THE PEOPLE ACT, 1918, SECT. 14 (*a*)).

[NOTE.—The following Rule shall stand as Rule 21 of Order LVIII. of the Rules of the Supreme Court, 1883.]

21. *Registration appeals.*—The following provisions shall apply to appeals to the Court of Appeal from decisions of the county courts on points of law on the hearing of appeals from registration officers under the Representation of the People Act, 1918, section 14 (*a*).

(1) A person desiring to appeal to the Court of Appeal against the decision of the county court on any appeal shall give notice of his intention to appeal to the registrar of the county court and to the registration officer and to the opposite party, if any, within such time and in such form as may be prescribed by County Court Rules.

(2) In any such case the party, if any, in whose favour the decision is given shall be the respondent: and the registration officer also shall be named as respondent to the appeal.

(3) Every such appeal shall be by notice of motion in accordance with Order LIX., Rule 10; and such notice of motion shall be served and the appeal set down under Order LVIII., Rule 8, within the time limited by Order LIX., Rule 12.

(4) It shall be the duty of the party appealing to apply to the judge or assistant judge of the county court for a signed copy of the note made by him of any point of law raised before him, and of the facts in evidence in relation thereto, and of his decision thereon, and of his decision on the hearing of the appeal, and to furnish such copy, and two additional unsigned copies thereof, for the use of the Court of Appeal; and such signed copy shall be used and received at the hearing of the appeal. If such note is not produced the Court of Appeal shall have power to apply to the judge or assistant judge to furnish such a note, or to hear and determine the appeal upon any other evidence or statement of what occurred before the county court which the Court of Appeal may deem sufficient.

(5) If the Court of Appeal is of opinion that the statement in the note is not sufficient to enable the Court to give judgment in law, the Court may remit the matter to the judge or assistant judge in order that the note may be more fully stated.

(*a*) See pp. 134—137, *supra*.

(6) No appeal shall be allowed upon any question of fact only, or upon the admissibility or effect of any evidence or admission adduced or made in any case to establish any matter of fact only.

(7) The Court shall have power to extend the time for appealing, or to amend the grounds of appeal, or rescind or vary any declaration as to consolidation of appeals made by the judge or assistant judge of the county court, or to make any other order on such terms as the Court shall think just to ensure the determination on the merits of the real question in controversy between the parties.

(8) Where it appears to the judge or assistant judge that the validity of any number of decisions given by the county court depends upon the same point or points of law, and the parties or any of them have given notice to the county court of their intention to appeal to the Court of Appeal, the judge or assistant judge may, in such manner as may be prescribed by County Court Rules, declare that the appeals to the Court of Appeal ought to be consolidated, and may name any person interested and consenting to be appellant or respondent in the consolidated appeal on behalf of himself and all other persons interested in like manner in the appeals who consent to be parties to and to be bound by the consolidated appeal; and the registration officer shall also be named as a respondent to the consolidated appeal.

(9) With regard to consolidated appeals the like proceedings shall be had and taken and the like rules and regulations shall apply as in the case of any other appeal; and every order, judgment or decision of the Court of Appeal shall be equally valid and effectual and binding and conclusive on all the parties named in or referred to as parties to such consolidated appeals.

(10) Where appeals are consolidated, if the consolidated appeal is not duly prosecuted or answered, the Court of Appeal may give to any party or parties interested in such appeal, upon his or their application, the conduct and direction of the appeal or of the answer thereto, instead of or in addition to any person originally named in that behalf, in such manner and on such terms as the Court may think fit, or may make such other order in the case as may seem just.

(11) Every party to a consolidated appeal shall be liable for the costs of the appeal in the same manner and to the same extent as the person named as appellant or respondent in such appeal.

(12) If where appeals are consolidated any party interested in any such appeal refuses to be a party to and to be bound by the consolidated appeal, the appeal in which such party is interested may proceed separately; but such party shall not be entitled to receive any costs of or in such appeal, unless the Court of Appeal shall otherwise order.

(13) Arrangements shall be made for hearing any appeals without delay, and as far as possible continuously.

(14) Subject to the foregoing provisions the rules for the time being in force with respect to appeals from the High Court to the Court of Appeal shall, so far as practicable, apply to and govern appeals under this rule to the Court of Appeal.

(15) Except as in this rule otherwise provided, the costs of any appeal shall be in the discretion of the Court of Appeal.

Such costs may, if the appeal is successful, be ordered to be paid by the registration officer named as respondent to the appeal, whether he shall or shall not appear in support of the decision of the county court.

Where any person other than the registration officer is respondent to an appeal he shall not be liable or entitled to costs unless he appears in support of the decision of the county court.

(16) Notice of the decision of the Court of Appeal on any appeal shall be given by the proper officer of the Court of Appeal to the registration officer, specifying exactly every alteration or correction to be made on the register in pursuance of the decision: and a copy thereof shall be sent to the registrar of the county court.

(17) This Rule may be cited as the Registration Appeals Rule, 1918.

APPENDIX III.

STATUTES.

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BALLOT ACT, 1872 (35 & 36 VICT. C. 33) (*a*).

An Act to amend the Law relating to Procedure at Parliamentary and Municipal Elections. [18th July, 1872.]

[*Preamble.*]

PART I.

PARLIAMENTARY ELECTIONS.

Procedure at Elections.

1. *Nomination of candidates for parliamentary elections.*—A candidate for election to serve in Parliament for a county or borough shall be nominated in writing. The writing shall be subscribed by two registered electors of such county or borough as proposer and seconder, and by eight other registered electors

(*a*) The Ballot Act, 1872, is made permanent by sect. 35 of the Representation of the People Act, 1918. See p. 278, *supra*.

of the same county or borough as assenting to the nomination, and shall be delivered during the time appointed for the election to the returning officer by the candidate himself, or his proposer or seconder.

If at the expiration of one hour after the time appointed for the election no more candidates stand nominated than there are vacancies to be filled up, the returning officer shall forthwith declare the candidates who may stand nominated to be elected, and return their names to the Clerk of the Crown in Chancery; but if at the expiration of such hour more candidates stand nominated than there are vacancies to be filled up, the returning officer shall adjourn the election and shall take a poll in manner in this Act mentioned.

A candidate may, during the time appointed for the election, but not afterwards, withdraw from his candidature by giving a notice to that effect, signed by him, to the returning officer: Provided that the proposer of a candidate nominated in his absence out of the United Kingdom may withdraw such candidate by a written notice signed by him and delivered to the returning officer, together with a written declaration of such absence of the candidate.

If after the adjournment of an election by the returning officer for the purpose of taking a poll one of the candidates nominated shall die before the poll has commenced, the returning officer shall, upon being satisfied of the fact of such death, countermand notice of the poll, and all the proceedings with reference to the election shall be commenced afresh in all respects as if the writ had been received by the returning officer on the day on which proof was given to him of such death; provided that no fresh nomination shall be necessary in the case of a candidate who stood nominated at the time of the countermand of the poll (*b*).

2. *Poll at elections.*—In the case of a poll at an election the votes shall be given by ballot. The ballot of each voter shall consist of a paper (in this Act called a ballot paper) showing the names and description of the candidates. Each ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face. At the time of voting, the ballot paper shall be marked on both sides with an official mark, and delivered to the voter within the polling station, and the number of such voter on the register of voters shall be marked on the counterfoil, and the voter having secretly marked his vote on the paper, and folded it up so as to conceal his vote, shall place it in a closed box in the presence of the officer presiding at the polling station (in this Act called "the presiding officer") after having shown to him the official mark at the back.

Any ballot paper which has not on its back the official mark, or on which votes are given to more candidates than the voter is entitled to vote for, or on which anything, except the said number on the back, is written or marked by which the voter can be identified, shall be void and not counted.

(*b*) See sect. 21 (4) (a), p. 162, *supra*.

After the close of the poll the ballot boxes shall be sealed up, so as to prevent the introduction of additional ballot papers, and shall be taken charge of by the returning officer, and that officer shall, in the presence of such agents, if any, of the candidates as may be in attendance, open the ballot boxes, and ascertain the result of the poll by counting the votes given to each candidate, and shall forthwith declare to be elected the candidates or candidate to whom the majority of votes have been given, and return their names to the Clerk of the Crown in Chancery. The decision of the returning officer as to any question arising in respect of any ballot paper shall be final, subject to reversal on petition questioning the election or return.

Where an equality of votes is found to exist between any candidates at an election for a county or borough, and the addition of a vote would entitle any of such candidates to be declared elected, the returning officer, if a registered elector of such county or borough, may give such additional vote, but shall not in any other case be entitled to vote at an election for which he is returning officer (*c*).

Offences at Elections.

3. *Offences in respect of nomination papers, ballot papers, and ballot boxes* (*d*).

4. *Infringement of secrecy* (*e*).

Amendment of Law.

5. *Division of counties and boroughs into polling districts* (*f*).

6. *Use of school and public room for poll.*—The returning officer at a parliamentary election may use, free of charge, for the purpose of taking the poll at such election, any room in a school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of any local rate, but he shall make good any damage done to such room, and defray any expense incurred by the person or body of persons, corporate or unincorporate, having control over the same on account of its being used for the purpose of taking the poll as aforesaid.

The use of any room in an unoccupied house for the purpose of taking the poll shall not render any person liable to be rated or to pay any rate for such house.

7. *Conclusiveness of register of voters.*—At any election for a county or borough, a person shall not be entitled to vote unless his name is on the register of voters for the time being in force for such county or borough, and every person whose name is on such register shall be entitled to demand and receive a ballot paper and to vote: Provided that nothing in this section shall

(*c*) See sect. 22 (1) (c), p. 165, *supra*.
(*d*) See pp. 285, 286, *supra*.
(*e*) For the provisions of this section, see pp. 286, 287, *supra*.
(*f*) Repealed by sect. 47 (1) of the present Act. See pp. 337, 396, *supra*.

entitle any person to vote who is prohibited from voting by statute, or by the common law of Parliament, or relieve such person from any penalties to which he may be liable for voting

Duties of Returning and Election Officers.

8. *General powers and duties of returning officer.*—Subject to the provisions of this Act, every returning officer shall provide such nomination papers, polling stations, ballot boxes, ballot papers, stamping instruments, copies of register of voters, and other things, appoint and pay such officers, and do such other acts and things as may be necessary for effectually conducting an election in manner provided by this Act.

[*Here follow words repealed by present Act* (*f*).]

Where the sheriff is returning officer for more than one county as defined for the purposes of parliamentary elections, he may, without prejudice to any other power, by writing under his hand, appoint a fit person to be his deputy for all or any of the purposes relating to an election in any such county, and may, by himself or such deputy, exercise any powers and do any things which the returning officer is authorised or required to exercise or do in relation to such election. Every such deputy, and also any under sheriff, shall, in so far as he acts as returning officer, be deemed to be included in the term returning officer in the provisions of this Act relating to parliamentary elections, and the enactments with which this part of this Act is to be construed as one (*g*).

9. *Keeping of order in station.*—If any person misconducts himself in the polling station, or fails to obey the lawful orders of the presiding officer, he may immediately, by order of the presiding officer, be removed from the polling station by any constable in or near that station, or any other person authorised in writing by the returning officer to remove him; and the person so removed shall not, unless with the permission of the presiding officer, again be allowed to enter the polling station during the day.

Any person so removed as aforesaid, if charged with the commission in such station of any offence, may be kept in custody until he can be brought before a justice of the peace.

Provided that the powers conferred by this section shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of voting at such station.

10. *Powers of presiding officer and administration of oaths, &c.*—For the purpose of the adjournment of the poll, and of every other enactment relating to the poll, a presiding officer shall have the power by law belonging to a deputy returning officer; and any presiding officer and any clerk appointed by the

(*f*) See sect. 47 (1), p. 337, *supra*, and p. 396, *supra*.

(*g*) The words in sect. 8 beginning "Where the sheriff" to the end of the section are repealed (except as respects Scotland and Ireland) by sect. 47 (1) of the present Act. See pp. 337, 396, *supra*.

returning officer to attend at a polling station shall have the power of asking the questions and administering the oath authorised by law to be asked of and administered to voters, and any justice of the peace and any returning officer may take and receive any declaration authorised by this Act to be taken before him.

11. *Liability of officers for misconduct.*—Every returning officer, presiding officer, and clerk who is guilty of any wilful misfeasance or any wilful act or omission in contravention of this Act shall, in addition to any other penalty or liability to which he may be subject, forfeit to any person aggrieved by such misfeasance, act, or omission a penal sum not exceeding one hundred pounds.

Section fifty of the Representation of the People Act, 1867, (which relates to the acting of any returning officer, or his partner or clerk, as agent for a candidate,) shall apply to any returning officer or officer appointed by him in pursuance of this Act, and to his partner or clerk.

Miscellaneous.

12. *Prohibition of disclosure of vote.*—No person who has voted at an election shall, in any legal proceeding to question the election or return, be required to state for whom he has voted.

13. *Non-compliance with rules.*—No election shall be declared invalid by reason of a non-compliance with the rules contained in the First Schedule to this Act, or any mistake in the use of the forms in the Second Schedule to this Act, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in the body of this Act, and that such non-compliance or mistake did not affect the result of the election.

14. *Use of municipal ballot boxes, &c. for parliamentary election, and* vice versâ.—Where a parliamentary borough and municipal borough occupy the whole or any part of the same area, any ballot boxes or fittings for polling stations and compartments provided for such parliamentary borough or such municipal borough may be used in any municipal or parliamentary election in such borough free of charge, and any damage other than reasonable wear and tear caused to the same shall be paid as part of the expenses of the election at which they are so used.

15. *Construction of Act.*—This part of this Act shall, so far as is consistent with the tenor thereof, be construed as one with the enactments for the time being in force relating to the representation of the people, and to the registration of persons entitled to vote at the election of members to serve in Parliament, and with any enactments otherwise relating to the subject matter of this part of this Act, and terms used in this part of this Act shall have the same meaning as in the said enactments; and in construing the said enactments relating to an election or to the poll or taking the votes by poll, the mode of election and of taking the poll established by this Act shall for the purposes of the said enactments be deemed to be substituted for the mode of election

or poll, or taking the votes by poll, referred to in the said enactments; and any person applying for a ballot paper under this Act shall be deemed "to tender his vote," or "to assume to vote," within the meaning of the said enactments; and any application for a ballot paper under this Act, or expressions relative thereto shall be equivalent to "voting" in the said enactments and any expressions relative thereto; and the term "polling booth" as used in the said enactments shall be deemed to include a polling station; and the term "proclamation" as used in the said enactments shall be deemed to include a public notice given in pursuance of this Act.

Application of Part of Act to Scotland.

16. *Alterations for application of Part I. to Scotland.*—This part of this Act shall apply to Scotland, subject to the following provisions:—

(1) The expression "crime and offence" shall be equivalent to the expression "misdemeanor," and shall be substituted therefor:

(2) All offences under this Act for which any person may be punished on summary conviction shall be prosecuted before the sheriff under the provisions of "The Summary Procedure Act, 1864"; and all jurisdictions, powers, and authorities necessary for that purpose are hereby conferred on sheriffs:

(3) The expression "sheriff" shall include sheriff substitute:

(4) The provisions of this Act relating to the division of counties and boroughs into polling districts shall not apply to Scotland:

(5) [*Repealed by sect.* 47 (1) *of the present Act. See pp.* 337, 396, *supra.*]

Application of Part of Act to Ireland.

17. *Alterations for application of Part I. to Ireland.*—This part of this Act shall apply to Ireland, subject to the following modifications:—

(1) The expression "Clerk of the Crown in Chancery" shall mean the Clerk of the Crown and Hanaper in Ireland:

(2) The preceding provisions of this part of this Act with respect to the division of counties and boroughs into polling districts shall not extend to Ireland:

(3) In the construction of the preceding provisions of this part of this Act as applying to Ireland, section thirteen of "The Representation of the People (Ireland) Act, 1868," shall be substituted for section fifty of "The Representation of the People Act, 1867," wherever in such provisions the said last-mentioned section occurs. The provision contained in the sixth section of this Act providing for the use of school rooms free of charge, for the purpose of taking the poll at elections, shall not apply to any school adjoining or adjacent to any church or other place of worship, nor to any school connected with a nunnery or other religious establishment:

(4) [*Repealed by sect.* 47 (1) *of the present Act. See pp.* 337, 396, *supra.*]

18. *Provisions as to polling districts and polling places in Ireland.*—[*Repealed by sect.* 47 (1) *of the present Act. See pp.* 337, 396, *supra.*]

19. *Amendment of law as to voting in certain boroughs.*—[*Repealed by sect.* 47 (1) *of the present Act. See pp.* 337, 396, *supra.*]

Part II.

Municipal Elections (*k*).

20. *Application to municipal election of enactments relating to the poll at parliamentary elections.*—The poll at every contested municipal election shall, so far as circumstances admit, be conducted in the manner in which the poll is by this Act directed to be conducted at a contested parliamentary election, and, subject to the modifications expressed in the schedules annexed hereto, such provisions of this Act and of the said schedules as relate to or are concerned with a poll at a parliamentary election shall apply to a poll at a contested municipal election: Provided as follows:

(1) The term "returning officer" shall mean the mayor or other officer who, under the law relating to municipal elections, presides at such elections:

(2) The term "petition questioning the election or return" shall mean any proceeding in which a municipal election can be questioned:

(3) The mayor shall provide everything which in the case of a parliamentary election is required to be provided by the returning officer for the purpose of a poll:

(4) All expenses shall be defrayed in manner provided by law with respect to the expenses of a municipal election:

(5) No return shall be made to the Clerk of the Crown in Chancery:

(6) Nothing in this Act shall be deemed to authorise the appointment of any agents of a candidate in a municipal election, but if in the case of a municipal election any agent of a candidate is appointed, and a notice in writing of such appointment is given to the returning officer, the provisions of this Act with respect to agents of candidates shall, so far as respects such agent, apply in the case of that election:

(7) The provisions of this Act with respect to—

(a) The voting of a returning officer; and

(b) The use of a room for taking a poll; and

(c) The right to vote of persons whose names are on the register of voters;

shall not apply in the case of a municipal election.

(*k*) Sects. 20 and 21 are repealed (except as to Scotland and Ireland) by the Municipal Corporations Act, 1882, ss. 5, 260 (2).

A municipal election shall, except in so far as relates to the taking of the poll in the event of its being contested, be conducted in the manner in which it would have been conducted if this Act had not been passed.

21. *Abolition of ward assessors.*—Assessors shall not be elected in any ward of any municipal borough, and a municipal election need not be held before the assessors or their deputies, but may be held before the mayor, alderman, or other returning officer only.

Application of Part of Act to Scotland.

22. *Alterations for application of Part II. to Scotland.*—This part of this Act shall apply to Scotland, subject to the following provisions:—

(1) The term "mayor" shall mean the provost or other chief magistrate of a municipal borough, as defined by this Act:

(2) All municipal elections shall be conducted in the same manner in all respects in which elections of councillors in the royal burghs contained in Schedule C. to the Act of the session of the third and fourth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to alter and amend the laws for the "election of the Magistrates and Councillors of the Royal "Burghs in Scotland," are directed to be conducted by the Acts in force at the time of the passing of this Act as amended by this Act; and all such Acts shall apply to such elections accordingly.

Application of Part of Act to Ireland.

23. *Alterations for application of Part II. to Ireland.*—This part of this Act shall apply to Ireland, with the following modifications:

(1) The term "mayor" shall include the chairman of commissioners, chairman of municipal commissioners, chairman of town commissioners, and chairman of township commissioners.

(2) The provisions of "The Municipal Corporation Act, 1859," following; that is to say, section five and section six, and section seven except so much thereof as relates to the form of nomination papers, and section eight except so much thereof as relates to assessors, shall extend and apply to every municipal borough in Ireland, and shall be substituted for any provisions in force in relation to the nomination at municipal elections: Provided always, that the term "councillor" in these sections shall for the purposes of this section include alderman, commissioner, municipal commissioner, town commissioner, township commissioner, or assessor of any municipal borough.

Part III.

Personation.

24. *Definition and punishment of personation.*—The following enactments shall be made with respect to personation at parliamentary and municipal elections:

A person shall for all purposes of the laws relating to parliamentary and municipal elections be deemed to be guilty of the offence of personation who at an election for a county or borough, or at a municipal election, applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead or of a fictitious person, or who having voted once at any such election applies at the same election for a ballot paper in his own name.

. . . . It shall be the duty of the returning officer to institute a prosecution against any person whom he may believe to have been guilty of personation, or of aiding, abetting, counselling, or procuring the commission of the offence of personation by any person, at the election for which he is returning officer, and the costs and expenses of the prosecutor and the witnesses in such case, together with compensation for their trouble and loss of time, shall be allowed by the court in the same manner in which courts are empowered to allow the same in cases of felony.

The provisions of the Registration Acts, specified in the Third Schedule to this Act, shall in England and Ireland respectively apply to personation under this Act in the same manner as they apply to a person who knowingly personates and falsely assumes to vote in the name of another person as mentioned in the said Acts.

25. *Vote to be struck off for bribery, treating, or undue influence.*—Where a candidate, on the trial of an election petition claiming the seat for any person, is proved to have been guilty, by himself or by any person on his behalf, of bribery, treating, or undue influence in respect of any person who voted at such election (*a*), . . . there shall, on a scrutiny, be struck off from the number of votes appearing to have been given to such candidate one vote for every person who voted at such election and is proved to have been so bribed, treated, or unduly influenced (*a*). . . .

26. *Alterations in Act as applying to Scotland.*—This part of this Act shall apply to Scotland, subject to the following provision:—

The offence of personation shall be deemed to be a crime and offence, and the rules of the law of Scotland with respect to apprehension, detention, precognition, commitment, and bail shall apply thereto, and any person accused thereof may be brought to trial in the court of justiciary, whether in Edinburgh or on circuit, at the instance of the Lord Advocate, or before the sheriff court at the instance of the procurator fiscal.

(*a*) Here follow words repealed by present Act. See sect. 47 (1), p. 337, *supra*, and p. 396, *supra*.

27. *Construction of part of Act.*—This part of this Act, so far as regards parliamentary elections, shall be construed as one with "The Parliamentary Elections Act, 1868," and shall apply to an election for a university or combination of universities.

Part IV.

Miscellaneous.

28. *Effect of schedules.*—The schedules to this Act, and the notes thereto, and directions therein, shall be construed and have effect as part of this Act.

29. *Definitions.*—In this Act—

The expression "municipal borough" means any place for the time being subject to the Municipal Corporation Acts, or any of them:

The expression "Municipal Corporation Acts" means—

(a) As regards England, the Act of the session of the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for "the regulation of municipal corporations in England "and Wales," and the Acts amending the same:

(b) As regards Scotland, the Act of the session of the third and fourth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to alter and "amend the laws for the election of Magistrates and "Councillors of the Royal Burghs in Scotland," and the Act of the same session, chapter seventy-seven, intituled "An Act to provide for the appointment and "election of Magistrates and Councillors for the several "Burghs and Towns of Scotland which now return or "contribute to return Members to Parliament, and are "not Royal Burghs," and the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter thirty-three, intituled "An Act "to make more effectual provision for regulating the "Police of Towns and populous Places in Scotland, and "for paving, draining, cleansing, lighting, and improv-"ing the same;" and "The General Police and Im-"provement (Scotland) Act, 1862," and any Acts amending the same:

(c) As regards Ireland, the Act of the session of the third and fourth years of the reign of Her present Majesty, chapter one hundred and eight, intituled "An Act for the Regu-"lation of Municipal Corporations in Ireland," the Act of the ninth year of George the Fourth, chapter eighty-two, The Towns Improvement (Ireland) Act, 1854, and every local and personal Act providing for the election of commissioners in any towns or places for purposes similar to the purposes of the said Acts.

The expression "municipal election" means—

(a) As regards England, an election of any person to serve the office of councillor, auditor, or assessor of any municipal

borough, or of councillor for a ward of a municipal borough; and

(b) As regards Scotland, an election of any person to serve the office of councillor or commissioner of any municipal borough, or of a ward or district of any municipal borough:

(c) As regards Ireland, an election of any person to serve the office of alderman, councillor, commissioner, municipal commissioner, town commissioner, township commissioner, or assessor of any municipal borough.

30. *Application of Act.*—This Act shall apply to any parliamentary or municipal election which may be held after the passing thereof.

31. *Saving.*—Nothing in this Act, except Part III. thereof, shall apply to any election for a university or combination of universities.

Repeal.

32. *Repeal of Acts in schedules (Fourth, Fifth, and Sixth Schedules) to extent specified therein.*

33. *Short title.*—This Act may be cited as The Ballot Act, 1872 (*z*). . . .

SCHEDULES.

FIRST SCHEDULE.

Part 1.

Rules for Parliamentary Elections.

Election.

1. The returning officer shall, in the case of a county election, within two days after the day on which he receives the writ, and in the case of a borough election, on the day on which he receives the writ or the following day, give public notice, between the hours of nine in the morning and four in the afternoon, of the day on which and the place at which he will proceed to an election, and of the time appointed for the election, and of the day on which the poll will be taken in case the election is contested, and of the time and place at which forms of nomination papers may be obtained, and in the case of a county election shall send one of such notices by post under cover, to the postmaster of the principal post office of each polling place in the county, endorsed with the words "Notice of election," and the same shall be forwarded free of charge; and the postmaster receiving the same shall forthwith publish the same in the manner in which post office notices are usually published (*a*).

2. The day of election shall be fixed by the returning officer as follows; that is to say, in the case of an election for a county

(*z*) Here follow words repealed by present Act. See sect. 47 (1), p. 337, *supra*, and p. 396, *supra*.

(*a*) See sect. 21 (2), pp. 161, 162, also pp. 179, 180, *supra*.

or a district borough not later than the ninth day after the day on which he receives the writ, with an interval of not less than three clear days between the day on which he gives the notice and the day of election; and in the case of an election for any borough other than a district borough not later than the fourth day after the day on which he receives the writ, with an interval of not less than two clear days between the day on which he gives the notice and the day of election (*b*).

3. [*Repealed by sect.* 47 (1) *of the present Act* (*c*).]

4. The time appointed for the election shall be such two hours between the hours of ten in the forenoon and three in the afternoon as may be appointed by the returning officer, and the returning officer shall attend during those two hours and for one hour after (*d*).

5. Each candidate shall be nominated by a separate nomination paper, but the same electors or any of them may subscribe as many nomination papers as there are vacancies to be filled, but no more (*e*).

6. Each candidate shall be described in the nomination paper in such manner as in the opinion of the returning officer is calculated to sufficiently identify such candidate; the description shall include his names, his abode, and his rank, profession, or calling, and his surname shall come first in the list of his names. No objection to a nomination paper on the ground of the description of the candidate therein being insufficient, or not being in compliance with this rule, shall be allowed or deemed valid, unless such objection is made by the returning officer, or by some other person, at or immediately after the time of the delivery of the nomination paper (*f*).

7. The returning officer shall supply a form of nomination paper to any registered elector requiring the same during such two hours as the returning officer may fix, between the hours of ten in the morning and two in the afternoon on each day intervening between the day on which notice of the election was given and the day of election, and during the time appointed for the election; but nothing in this Act shall render obligatory the use of a nomination paper supplied by the returning officer, so, however, that the paper be in the form prescribed by this Act (*g*).

8. The nomination papers shall be delivered to the returning officer at the place of election during the time appointed for the election; and the candidate nominated by each nomination paper, and his proposer and seconder, and one other person selected by the candidate, and no person other than aforesaid, shall, except for the purpose of assisting the returning officer, be entitled to

(*b*) See pp. 179, 180, *supra*.
(*c*) See pp. 337, 396, *supra*.
(*d*) See sect. 26 (1), p. 207, *supra*.
(*e*) See sect. 33 (2), pp. 223, 224, also pp. 265—269, *supra*.
(*f*) *Ibid*.
(*g*) *Ibid*.

attend the proceedings during the time appointed for the election (*h*).

9. If the election is contested the returning officer shall, as soon as practicable after adjourning the election, give public notice of the day on which the poll will be taken, and of the candidates described as in their respective nomination papers, and of the names of the persons who subscribed the nomination paper of each candidate, and of the order in which the names of the candidates will be printed in the ballot paper, and, in the case of an election for a county, deliver to the postmaster of the principal post office of the town in which is situate the place of election a paper, signed by himself, containing the names of the candidates nominated, and stating the day on which the poll is to be taken, and the postmaster shall forward the information contained in such paper by telegraph, free of charge, to the several postal telegraph offices situate in the county for which the election is to be held, and such information shall be published at each such office in the manner in which post office notices are usually published (*i*).

10. If any candidate nominated during the time appointed for the election is withdrawn in pursuance of this Act, the returning officer shall give public notice of the name of such candidate, and the names of the persons who subscribed the nomination paper of such candidate, as well as of the candidates who stood nominated or were elected (*k*).

11. The returning officer shall, on the nomination paper being delivered to him, forthwith publish notice of the name of the person nominated as a candidate, and of the names of his proposer and seconder, by placarding or causing to be placarded the names of the candidate and his proposer and seconder in a conspicuous position outside the building in which the room is situate appointed for the election (*l*).

12. A person shall not be entitled to have his name inserted in any ballot paper as a candidate unless he has been nominated in manner provided by this Act, and every person whose nomination paper has been delivered to the returning officer during the time appointed for the election shall be deemed to have been nominated in manner provided by this Act, unless objection be made to his nomination paper by the returning officer or some other person before the expiration of the time appointed for the election or within one hour afterwards (*m*).

13. The returning officer shall decide on the validity of every objection made to a nomination paper, and his decision, if disallowing the objection, shall be final; but if allowing the same, shall be subject to reversal on petition questioning the election or return (*n*).

(*h*) See sect. 33 (2), pp. 223, 224, also pp. 265—269, *supra*.
(*i*) *Ibid.*, also p. 179.
(*k*) *Ibid.*, also p. 208, *supra*.
(*l*) *Ibid.*
(*m*) *Ibid.*
(*n*) *Ibid.*

The Poll.

14. The poll shall take place on such day as the returning officer may appoint, not being in the case of an election for a county or a district borough less than two nor more than six clear days, and not being in the case of an election for a borough other than a district borough more than three clear days after the day fixed for the election (*o*).

15. At every polling place the returning officer shall provide a sufficient number of polling stations for the accommodation of the electors entitled to vote at such polling place, and shall distribute the polling stations amongst those electors in such manner as he thinks most convenient, provided that in a district borough there shall be at least one polling station at each contributory place of such borough (*p*).

16. Each polling station shall be furnished with such number of compartments, in which the voters can mark their votes screened from observation, as the returning officer thinks necessary, so that at least one compartment be provided for every one hundred and fifty electors entitled to vote at such polling station.

17. A separate room or separate booth may contain a separate polling station, or several polling stations may be constructed in the same room or booth.

18. No person shall be admitted to vote at any polling station except the one allotted to him (*q*).

19. The returning officer shall give public notice of the situation of polling stations and the description of voters entitled to vote at each station, and of the mode in which electors are to vote.

20. The returning officer shall provide each polling station with materials for voters to mark the ballot papers, with instruments for stamping thereon the official mark, and with copies of the register of voters, or such part thereof as contains the names of the voters allotted to vote at such station. He shall keep the official mark secret, and an interval of not less than seven years shall intervene between the use of the same official mark at elections for the same county or borough.

21. The returning officer shall appoint a presiding officer to preside at each station, and the officer so appointed shall keep order at his station, shall regulate the number of electors to be admitted at a time, and shall exclude all other persons except the clerks, the agents of the candidates, and the constables on duty.

22. Every ballot paper shall contain a list of the candidates described as in their respective nomination papers, and arranged alphabetically in the order of their surnames, and (if there are two or more candidates with the same surname) of their other

(*o*) See sect. 21, pp. 161, 162, also pp. 162, 163, 179, 180, *supra*.
(*p*) See sect. 24, pp. 203, 204, *supra*.
(*q*) *Ibid.*

names: it shall be in the form (*r*) set forth in the Second Schedule to this Act or as near thereto as circumstances admit, and shall be capable of being folded up.

23. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer at any polling station, just before the commencement of the poll, shall show the ballot box empty to such persons, if any, as may be present in such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers and keep it so locked and sealed.

24. Immediately before a ballot paper is delivered to an elector it shall be marked on both sides with the official mark, either stamped or perforated, and the number, name, and description of the elector as stated in the copy of the register shall be called out, and the number of such elector shall be marked on the counterfoil, and a mark shall be placed in the register against the number of the elector, to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

25. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and there mark his paper, and fold it up so as to conceal his vote, and shall then put his ballot paper, so folded up, into the ballot box; he shall vote without undue delay, and shall quit the polling station as soon as he has put his ballot paper into the ballot box.

26. The presiding officer, on the application of any voter who is incapacitated by blindness or other physical cause from voting in manner prescribed in this Act, or (if the poll be taken on Saturday) of any voter who declares that he is of the Jewish persuasion, and objects on religious grounds to vote in manner prescribed by this Act, or of any voter who makes such a declaration as herein-after mentioned that he is unable to read, shall, in the presence of the agents of the candidates, cause the vote of such voter to be marked on a ballot paper in manner directed by such voter, and the ballot paper to be placed in the ballot box, and the name and number on the register of voters of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list in this Act called "the list of votes marked by the presiding officer."

The said declaration, in this Act referred to as "the declaration of inability to read," shall be made by the voter at the time of polling, before the presiding officer, who shall attest it in the form herein-after mentioned, and no fee, stamp, or other payment shall be charged in respect of such declaration, and the said declaration shall be given to the presiding officer at the time of voting.

27. If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another

(*r*) See p. 698, *infra*.

person has voted as such elector, the applicant shall, upon duly answering the questions and taking the oath permitted by law to be asked of and to be administered to voters at the time of polling, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (in this Act called a tendered ballot paper) shall be of a colour differing from the other ballot papers, and instead of being put into the ballot box, shall be given to the presiding officer and endorsed by him with the name of the voter and his number in the register of voters, and set aside in a separate packet, and shall not be counted by the returning officer. And the name of the voter and his number on the register shall be entered on a list, in this Act called the tendered votes list (*f*).

28. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper, may, on delivering to the presiding officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the presiding officer, obtain another ballot paper in the place of the ballot paper so delivered up (in this Act called a spoilt ballot paper), and the spoilt ballot paper shall be immediately cancelled (*g*).

29. The presiding officer of each station, as soon as practicable after the close of the poll, shall, in the presence of the agents of the candidates, make up into separate packets sealed with his own seal and the seals of such agents of the candidates as desire to affix their seals,—

(1) Every ballot box in use at his station, unopened but with the key attached; and
(2) The unused and spoilt ballot papers, placed together; and
(3) The tendered ballot papers; and
(4) The marked copies of the register of voters, and the counterfoils of the ballot papers; and
(5) The tendered votes list, and the list of votes marked by the presiding officer, and a statement of the number of the voters whose votes are so marked by the presiding officer under the heads "physical incapacity," "Jews," and "unable to read," and the declarations of inability to read;

and shall deliver such packets to the returning officer

30. The packets shall be accompanied by a statement made by such presiding officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, and tendered ballot papers, which statement is in this Act referred to as the ballot paper account.

Counting Votes.

31. The candidates may respectively appoint agents to attend the counting of the votes (*h*).

(*f*) See sect. 22 (1) (c), pp. 164, 165, *supra*.
(*g*) See sect. 27 (2), pp. 209, 210, *supra*.
(*h*) See sect. 23 (2), p. 173, also p. 182, *supra*.

32. The returning officer shall make arrangements for counting the votes in the presence of the agents of the candidates as soon as practicable after the close of the poll, and shall give to the agents of the candidates appointed to attend at the counting of the votes notice in writing of the time and place at which he will begin to count the same (*i*).

33. The returning officer, his assistants and clerks, and the agents of the candidates, and no other person, except with the sanction of the returning officer, may be present at the counting of the votes (*k*).

34. Before the returning officer proceeds to count the votes, he shall, in the presence of the agents of the candidates, open each ballot box, and, taking out the papers therein, shall count and record the number thereof, and then mix together the whole of the ballot papers contained in the ballot boxes. The returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers printed on the backs of such papers (*l*).

35. The returning officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time for refreshment, and excluding (except so far as he and the agents otherwise agree) the hours between seven o'clock at night and nine o'clock on the succeeding morning. During the excluded time the returning officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of such of the agents of the candidates as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents (*m*).

36. The returning officer shall endorse "rejected" on any ballot paper which he may reject as invalid, and shall add to the endorsement "rejection objected to," if an objection be in fact made by any agent to his decision. The returning officer shall report to the Clerk of the Crown in Chancery the numbers of ballot papers rejected and not counted by him under the several heads of—

(1) Want of official mark;
(2) Voting for more candidates than entitled to;
(3) Writing or mark by which voter could be identified;
(4) Unmarked or void for uncertainty;

and shall on request allow any agents of the candidates, before such report is sent, to copy it (*n*).

37. Upon the completion of the counting, the returning officer shall seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or marked copy of the register of voters and counterfoils,

(*i*) See sect. 23 (2), p. 173, also p. 182, *supra*.
(*k*) *Ibid.*
(*l*) *Ibid.*
(*m*) *Ibid.*
(*n*) See sect. 23 (2), p. 173, also pp. 182—200, *supra*.

but shall proceed, in the presence of the agents of the candidates, to verify the ballot paper account given by each presiding officer by comparing it with the number of ballot papers recorded by him as aforesaid, and the unused and spoilt ballot papers in his possession and the tendered votes list, and shall reseal each sealed packet after examination. The returning officer shall report to the Clerk of the Crown in Chancery the result of such verification, and shall, on request, allow any agents of the candidates, before such report is sent, to copy it (*o*).

38. Lastly, the returning officer shall forward to the Clerk of the Crown in Chancery (in manner in which the poll books are by any existing enactment required to be forwarded to such clerk, or as near thereto as circumstances admit) all the packets of ballot papers in his possession, together with the said reports, the ballot paper accounts, tendered votes lists, lists of votes marked by the presiding officer, statements relating thereto, declarations of inability to read, and packets of counterfoils, and marked copies of registers, sent by each presiding officer, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the county or borough for which such election was held; and the term poll book in any such enactment shall be construed to include any document forwarded in pursuance of this rule (*o*).

39. The Clerk of the Crown shall retain for a year all documents relating to an election forwarded to him in pursuance of this Act by a returning officer, and then, unless otherwise directed by an order of the House of Commons, or one of Her Majesty's Superior Courts, shall cause them to be destroyed.

40. No person shall be allowed to inspect any rejected ballot papers in the custody of the Clerk of the Crown in Chancery, except under the order of the House of Commons or under the order of one of Her Majesty's Superior Courts, to be granted by such court on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return; and any such order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place, and mode of inspection or production as the House or court making the same may think expedient, and shall be obeyed by the Clerk of the Crown in Chancery. Any power given to a Court by this rule may be exercised by any judge of such court at chambers.

41. No person shall, except by order of the House of Commons or any tribunal having cognizance of petitions complaining of undue returns or undue elections, open the sealed packet of counterfoils after the same has been once sealed up, or be allowed to inspect any counted ballot papers in the custody of the Clerk of the Crown in Chancery; such order may be made subject to such conditions as to persons, time, place, and mode of opening or inspection as the House or tribunal making the order may

(*o*) See sect. 23 (2), p. 173, also p. 182, *supra*.

think expedient; provided that on making and carrying into effect any such order, care shall be taken that the mode in which any particular elector has voted shall not be discovered until he has been proved to have voted, and his vote has been declared by a competent court to be invalid.

42. All documents forwarded by a returning officer in pursuance of this Act to the Clerk of the Crown in Chancery, other than ballot papers and counterfoils, shall be open to public inspection at such time and under such regulations as may be prescribed by the Clerk of the Crown in Chancery, with the consent of the Speaker of the House of Commons, and the Clerk of the Crown shall supply copies of or extracts from the said documents to any person demanding the same, on payment of such fees and subject to such regulations as may be sanctioned by the Treasury.

43. Where an order is made for the production by the Clerk of the Crown in Chancery of any document in his possession relating to any specified election, the production by such clerk or his agent of the document ordered, in such manner as may be directed by such order, or by a rule of the court having power to make such order, shall be conclusive evidence that such document relates to the specified election; and any endorsement appearing on any packet of ballot papers produced by such Clerk of the Crown or his agent shall be evidence of such papers being what they are stated to be by the endorsement. The production from proper custody of a ballot paper purporting to have been used at any election, and of a counterfoil marked with the same printed number and having a number marked thereon in writing, shall be primâ facie evidence that the person who voted by such ballot paper was the person who at the time of such election had affixed to his name in the register of voters at such election the same number as the number written on such counterfoil.

General Provisions.

44. The return of a member or members elected to serve in Parliament for any county or borough shall be made by a certificate of the names of such member or members under the hand of the returning officer endorsed on the writ of election for such county or borough, and such certificate shall have effect and be dealt with in like manner as the return under the existing law, and the returning officer may, if he think fit, deliver the writ with such certificate endorsed to the postmaster of the principal post office of the place of election, or his deputy, and in that case he shall take a receipt from the postmaster or his deputy for the same; and such postmaster or his deputy shall then forward the same by the first post, free of charge, under cover, to the Clerk of the Crown, with the words "Election Writ and Return" endorsed thereon.

45. The returning officer shall, as soon as possible, give public notice of the names of the candidates elected, and, in the case of a contested election, of the total number of votes given for each candidate, whether elected or not.

46. Where the returning officer is required or authorised by this Act to give any public notice, he shall carry such requirement into effect by advertisements, placards, handbills, or such other means as he thinks best calculated to afford information to the electors.

47. The returning officer may, if he think fit, preside at any polling station, and the provisions of this Act relating to a presiding officer shall apply to such returning officer with the necessary modifications as to things to be done by the returning officer to the presiding officer, or the presiding officer to the returning officer.

48. In the case of a contested election for any county or borough, the returning officer may, in addition to any clerks, appoint competent persons to assist him in counting the votes.

49. No person shall be appointed by a returning officer for the purposes of an election who has been employed by any other person in or about the election.

50. The presiding officer may do, by the clerks appointed to assist him, any act which he is required or authorised to do by this Act at a polling station except ordering the arrest, exclusion, or ejection from the polling station of any person.

51. A candidate may himself undertake the duties which any agent of his if appointed might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may, in pursuance of this Act, attend.

52. The name and address of every agent of a candidate appointed to attend the counting of the votes shall be transmitted to the returning officer one clear day at least before the opening of the poll; and the returning officer may refuse to admit to the place where the votes are counted any agent whose name and address has not been so transmitted, notwithstanding that his appointment may be otherwise valid, and any notice required to be given to an agent by the returning officer may be delivered at or sent by post to such address.

53. If any person appointed an agent by a candidate for the purposes of attending at the polling station or at the counting of the votes dies, or becomes incapable of acting during the time of the election, the candidate may appoint another agent in his place, and shall forthwith give to the returning officer notice in writing of the name and address of the agent so appointed.

54. Every returning officer, and every officer, clerk, or agent authorised to attend at a polling station, or at the counting of the votes, shall, before the opening of the poll, make a statutory declaration of secrecy, in the presence, if he is the returning officer, of a justice of the peace, and if he is any other officer or an agent, of a justice of the peace or of the returning officer; but no such returning officer, officer, clerk, or agent as aforesaid shall, save as aforesaid, be required, as such, to make any declaration or take any oath on the occasion of any election.

55. Where in this Act any expressions are used requiring or authorising or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions

shall be deemed to refer to the presence of such agents of the candidates as may be authorised to attend, and as have in fact attended, at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such act or thing be otherwise duly done, in anywise invalidate the act or thing done.

56. In reckoning time for the purposes of this Act, Sunday, Christmas day, Good Friday, and any day set apart for a public fast or thanksgiving, shall be excluded; and where anything is required by this Act to be done on any day which falls on the above-mentioned days such thing may be done on the next day, unless it is one of the days excluded as above mentioned.

57. In this Act—

The expression "district borough" means the borough of Monmouth and any of the boroughs specified in Schedule E. to the Act of the session of the second and third years of the reign of King William the Fourth, chapter forty-five, intituled "An Act to amend the Representa-"tion of the People in England and Wales"; and

The expression "polling place" means, in the case of a borough, such borough or any part thereof in which a separate booth is required or authorised by law to be provided; and

The expression "agents of the candidates," used in relation to a polling station, means agents appointed in pursuance of section eighty-five of the Act of the session of the sixth and seventh years of the reign of Her present Majesty, chapter eighteen.

Modifications in Application of Part One of Schedule to Scotland.

58. [*Repealed by sect.* 47 (1) *of the present Act* (*a*).]

59. In Scotland, the candidates may respectively appoint agents to attend at the polling stations. The ballot papers and other documents other than the return required to be sent to and kept by the Clerk of the Crown in Chancery, shall, in Scotland, be kept by the sheriff clerks of the respective counties in which the returns (including those for burghs) are made, and the provisions of this schedule relating thereto shall be construed as if the sheriff clerk were substituted for Clerk of the Crown in Chancery.

60. In Scotland, the term "district borough" shall mean the combined burghs and towns specified in Schedule E. of the Act of the session of the second and third years of the reign of King William the Fourth, chapter sixty-five, intituled "An Act "to amend the Representation of the People in Scotland;" and in Schedule A. of the Representation of the People (Scotland) Act, 1868.

61. The provisions of the Act of the session of the second and third years of the reign of King William the Fourth, chapter sixty-five, intituled "An Act to amend the Representation of "the People in Scotland," in so far as they relate to the fixing

(*a*) See pp. 337, 396, *supra*.

and announcement of the day of election, the interval to elapse between the receipt of the writ and the day of election, the period of adjournment for taking the poll in the case of Orkney and Shetland, and of the district of burghs comprising Kirkwall, Wick, Dornoch, Dingwall, Tain, and Cromarty, and to the keeping open of the poll for two consecutive days in the case of Orkney and Shetland, shall remain in full force and effect, anything in this Act or any other Act of Parliament now in force notwithstanding; but nothing herein contained shall be construed to exclude Orkney and Shetland or Orkney or Shetland, or the said district of burghs, or any of the burghs in the said district, from any of the benefits and obligations of the other portions of this Act.

Modifications in Application of Part One of Schedule to Ireland.

62. The expression "Clerk of the Crown in Chancery" in this schedule shall mean, as regards Ireland, "the Clerk of the Crown "and Hanaper in Ireland."

63. A presiding officer at a polling station in a county in Ireland need not be a freeholder of the county.

Part II.

Rules for Municipal Elections.

64. In the application of the provisions of this schedule to municipal elections the following modifications shall be made:—

(a) The expression "register of voters" means the burgess roll of the burgesses of the borough, or, in the case of an election for the ward of a borough, the ward list; and the mayor shall provide true copies of such register for each polling station:

(b) All ballot papers and other documents which, in the case of a parliamentary election, are forwarded to the Clerk of the Crown in Chancery shall be delivered to the town clerk of the municipal borough in which the election is held, and shall be kept by him among the records of the borough; and the provisions of part one of this schedule with respect to the inspection, production, and destruction of such ballot papers and documents, and to the copies of such documents, shall apply respectively to the ballot papers and documents so in the custody of the town clerk, with these modifications; namely,

(a) An order of the county court having jurisdiction in the borough, or any part thereof, or of any tribunal in which a municipal election is questioned, shall be substituted for an order of the House of Commons or of one of Her Majesty's Superior Courts; but an appeal from such county court may be had in like manner as in other cases in such county court;

(b) The regulations for the inspection of documents and the fees for the supply of copies of documents of which copies are directed to be supplied, shall be pre-

scribed by the council of the borough with the consent of one of Her Majesty's Principal Secretaries of State; and, subject as aforesaid, the town clerk, in respect of the custody and destruction of the ballot papers and other documents coming into his possession in pursuance of this Act, shall be subject to the directions of the council of the borough:

(c) Nothing in this schedule with respect to the day of the poll shall apply to a municipal election.

Modifications in Application of Part II. of Schedule to Scotland.

65. In part two of this schedule as applying to Scotland—

The expression "register of voters" means the register, list, or roll of persons entitled to vote in a municipal election made up according to the law for the time being in force.

The expression "county court" means the sheriff court.

The expression "town clerk" includes the clerk appointed by the Commissioners of Police under the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter thirty-three, intituled "An Act to make more effectual provision for regulating "the police of towns and populous places in Scotland, "and for paving, draining, cleansing, lighting, and im- "proving the same," and of the General Police and Improvement (Scotland) Act, 1862.

Modifications in Application of Part II. of Schedule to Ireland.

66. In part two of this schedule as applying to Ireland—

The expression "register of voters," in addition to the meaning specified in such part, means, in relation to any municipal borough subject to the provisions of a Local Act requiring an annual revision of the lists of voters at municipal elections, the register of voters made in conformity with the said provisions of such Local Act, and in relation to municipal boroughs to which Part II. of the Local Government (Ireland) Act, 1871, applies, the list to be made under the provisions of section twenty-seven of the said Act, and in relation to other municipal boroughs a list which the town clerk of every municipal borough is hereby authorised and directed to make, in like manner in every respect as if the provisions of the said section were applicable to and in force within such municipal borough.

The expression "county court" means the Civil Bill Court.

The expression "town clerk" includes clerk to the commissioners, municipal commissioners, town commissioners, or township commissioners of any municipal borough, and any person executing the duties of such town clerk.

The expression "council of the borough" includes commissioners, municipal commissioners, and town commissioners of the town, and township commissioners of the township.

The expression "one of Her Majesty's Principal Secretaries of State" means the Chief Secretary of the Lord Lieutenant of Ireland.

SECOND SCHEDULE.

Note.—The forms contained in this schedule, or forms as nearly resembling the same as circumstances will admit, shall be used in all cases to which they refer and are applicable, and when so used shall be sufficient in law.

Writ for a County or Borough at a Parliamentary Election.

* Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to the † of the county [*or* borough] of , greeting:

‡ Whereas by the advice of our Council we have ordered a Parliament to be holden at Westminster on the day of next. We command you that, notice of the time and place of election being first duly given, you do cause election to be made according to law of members [*or* a member] to serve in Parliament for the said county [*or* the division of the said county, *or* the borough, *or as the case may be*] of § and that you do cause the names of such members [*or* member] when so elected, whether they [*or* he] be present or absent, to be certified to us, in our Chancery, without delay.

Witness ourself at Westminster, the day of in the year of our reign, and in the year of our Lord 18 .

Label or direction of Writ.

To the † of .

A writ of a new election of members [*or* member] for the said county [*or* division of a county *or* borough, *or as the case may be*].

Endorsement.

Received the within writ on the day of 18 .
(Signed) A. B.,
High Sheriff [*or* Sheriff, *or* Mayor, *or as the case may be*].

Certificate endorsed on the Writ.

I hereby certify, that the members [*or* member] elected for in pursuance of the within-written writ, are [*or* is]

A. B. of in the county of and C. D. of in the county of .

(Signed) A. B.,

High Sheriff [*or* Sheriff, *or* Mayor, *or as the case may be*].

Note.—A separate writ will be issued for each county as defined for the purposes of a parliamentary election.

* The name of the Sovereign may be altered when necessary.
† Insert "sheriff" or other returning officer.
‡ This preamble to be omitted except in case of a general election.
§ Except in a general election, insert here "in the place of A. B., deceased," or otherwise, stating the cause of vacancy.

Form of Notice of Parliamentary Election.

The returning officer of the of will, on the day of now next ensuing, between the hours of and , proceed to the nomination, and, if there is no opposition, to the election, of a member [*or* members] for the said county [*or* division of a county *or* borough] at the *.

Forms of nomination paper may be obtained at *, between the hours of and on .

Every nomination paper must be signed by two registered electors as proposer and seconder, and by eight other registered electors as assenting to the nomination.

Every nomination paper must be delivered to the returning officer by the candidate proposed, or by his proposer and seconder, between the said hours of and on the said day of at the said *.

Each candidate nominated, and his proposer and seconder, and one other person selected by the candidate, and no other persons, are entitled to be admitted to the room.

In the event of the election being contested, the poll will take place on the day of .

(Signed) A. B.,

Sheriff [*or* Mayor, *or as the case may be*].

day of 18 .

Take notice, that all persons who are guilty of bribery, treating, undue influence, personation, or other corrupt practices at the said election will, on conviction of such offence, be liable to the penalties (*u*) mentioned in that behalf in "The Corrupt Practices Prevention Act, 1854," and the Ballot Act, 1872, and the Acts amending the said Acts.

* NOTE.—Insert description of place and room.

(*u*) See pp. 287—289, 293—294, *supra*.

Form of Nomination Paper in Parliamentary Election.

We, the undersigned A. B. of in the of and C. D. of in the of , being electors for the of , do hereby nominate the following person as a proper person to serve as member for the said in Parliament:

Surname.	Other Names.	Abode.	Rank Profession, or Occupation.
BROWN	JOHN	52, George St., Bristol.	Merchant.
JONES	*or* WILLIAM DAVID...	High Elms, Wilts	Esquire.
MERTON	*or* Hon. GEORGE TRAVIS, commonly called Viscount.	Swanworth, Berks	Viscount.
SMITH	*or* HENRY SYDNEY...	72, High St., Bath	Attorney.

(Signed) A. B.
C. D.

We, the undersigned, being registered electors of the , do hereby assent to the nomination of the above-mentioned *John Brown* as a proper person to serve as member for the said in Parliament.

(Signed) E. F. of
G. H. of
I. J. of
K. L. of
M. N. of
O. P. of
Q. R. of
S. T. of

Note.—Where a candidate is an Irish peer, or is commonly known by some title, he may be described by his title as if it were his surname.

Form of Nomination Paper in Municipal Election.

Note.—The form of nomination paper in a municipal election shall as nearly as circumstances admit be the same as in the case of a parliamentary election.

Form of Ballot Paper.

Form of Front of Ballot Paper.

Counterfoil No.		
	1	BROWN (John Brown, of 52, George St., Bristol, merchant.)
	2	JONES (William David Jones, of High Elms, Wilts, Esq.)
	3	MERTON (Hon. George Travis, commonly called Viscount Merton, of Swanworth, Berks.)
	4	SMITH (Henry Sydney Smith, of 72, High Street, Bath, attorney.)

NOTE: *The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.*

Form of Back of Ballot Paper.

No.

Election for county [*or* borough, *or* ward].

18 .

Note.—The number on the ballot paper is to correspond with that in the counterfoil.

Directions as to printing Ballot Paper.

Nothing is to be printed on the ballot paper except in accordance with this schedule.

The surname of each candidate, and if there are two or more candidates of the same surname, also the other names of such candidates, shall be printed in large characters, as shown in the form, and the names, addresses, and descriptions, and the number on the back of the paper, shall be printed in small characters.

Form of Directions for the Guidance of the Voter in voting, which shall be printed in conspicuous Characters, and placarded outside every Polling Station and in every Compartment of every Polling Station.

The voter may vote for candidate

The voter will go into one of the compartments, and, with the pencil provided in the compartment, place a cross on the right-hand side, opposite the name of each candidate for whom he votes, thus X

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then, in the presence of the presiding officer, put the paper into the ballot box, and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter votes for more than candidate , or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of a misdemeanor, and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

Note.—These directions shall be illustrated by examples of the ballot paper.

Form of Statutory Declaration of Secrecy.

I solemnly promise and declare, That I will not at this election for do anything forbidden by section four of The Ballot Act, 1872, which has been read to me.

Note.—The section must be read to the declarant by the person taking the declaration.

Form of Declaration of inability to read.

I, A. B., of , being numbered on the Register of Voters for the county [*or* borough] of , do hereby declare that I am unable to read.

A. B., his mark.

day of .

I, the undersigned, being the presiding officer for the polling station for the county [*or* borough] of , do hereby certify, that the above declaration, having been first read to the above-named A. B., was signed by him in my presence with his mark.

(Signed) C.D.,

Presiding officer for polling station for the county [*or* borough] of

day of .

THIRD SCHEDULE.

Provisions of Registration Acts referred to in Part III. of the foregoing Act.

Session and Chapter.	Title.	Part applied.
	As to England.	
6 & 7 Vict. c. 18.	An Act to amend the law for the registration of persons entitled to vote, and to define certain rights of voting, and to regulate certain proceedings in the elections of members to serve in Parliament for England and Wales.	Sections eighty-five to eighty-nine, both inclusive.
	As to Ireland.	
13 & 14 Vict. c. 69.	An Act to amend the laws which regulate the qualification and registration of parliamentary voters in Ireland, and to alter the law for rating immediate lessors of premises to the poor rate in certain boroughs.	Sections ninety-two to ninety-six, both inclusive.

PARLIAMENTARY ELECTIONS (RETURNING OFFICERS) ACT, 1875 (38 & 39 Vict. c. 84) (*l*).

An Act to regulate the Expenses and to control the Charges of Returning Officers at Parliamentary Elections.

[13th August, 1875.]

[*Preamble.*]

1. *Construction of Act.*—The Ballot Act, 1872, as modified by this Act, and this Act shall be construed as one Act.

This Act shall apply only to parliamentary elections (*m*).

2. *Payments to returning officers.*—The returning officer at an election shall be entitled to his reasonable charges, not exceeding the sums mentioned in the First Schedule to this Act, in respect of services and expenses of the several kinds mentioned

(*l*) Sects. 2, 3, 4, 5 and 7 of the above-mentioned Act and the schedules thereto are repealed by sect. 47 (1) of the present Act, except so far as those sections and schedules apply to elections other than Parliamentary elections. The Act was made permanent by sect. 35 of the present Act. See p. 278, *supra*.

(*m*) See preceding footnote, and see also sect. 75 (17), (18), (19) of the Local Government Act, 1888, by which some of the provisions of the Parliamentary Elections (Returning Officers) Act, 1875, are applied to local government elections.

in the said schedule, which have been properly rendered or incurred by him for the purposes of the election.

The amount of such charges shall be paid by the candidates at the election in equal several shares, or where there is only one candidate, by such candidate. If a candidate is nominated without his consent, the persons by whom his nomination is subscribed shall be jointly and severally liable for the share of the charges for which he would be liable if he were nominated with his consent.

A returning officer shall not be entitled to payment for any other services or expenses, or at any greater rates than as in the said schedule mentioned, any law or usage to the contrary notwithstanding (*n*).

3. *Returning officer may require deposit or security.*—The returning officer, if he think fit, may, as herein-after provided, require security to be given for the charges which may become payable under the provisions of this Act in respect of any election.

The total amount of the security which may be required in respect of all the candidates at an election shall not in any case exceed the sums prescribed in the Third Schedule to this Act.

Where security is required by the returning officer it shall be apportioned and given as follows; viz.,

(1) At the end of the two hours appointed for the election the returning officer shall forthwith declare the number of the candidates who then stand nominated, and shall, if there be more candidates nominated than there are vacancies to be filled up, apportion equally among them the total amount of the required security:

(2) Within one hour after the end of the two hours aforesaid, security shall be given, by or in respect of each candidate then standing nominated, for the amount so apportioned to him:

(3) If in the case of any candidate security is not given or tendered as herein mentioned, he shall be deemed to be withdrawn within the provisions of the Ballot Act, 1872:

(4) A tender of security in respect of a candidate may be made by any person:

(5) Security may be given by deposit of any legal tender or of notes of any bank being commonly current in the county or borough for which the election is held, or, with the consent of the returning officer, in any other manner:

(6) The balance (if any) of a deposit beyond the amount to which the returning officer is entitled in respect of any candidate shall be repaid to the person or persons by whom the deposit was made (*o*).

4. *The accounts of a returning officer may be taxed.*—Within twenty-one days after the day on which the return is made of the persons elected at the election, the returning officer shall transmit to every candidate or other person from whom he claims

(*n*) See note (*m*), p. 700, *supra*.
(*o*) See note (*m*), p. 700, *supra*.

payment either out of any deposit or otherwise of any charges in respect of the election, or to the agent for election expenses of any such candidate, a detailed account showing the amounts of all the charges claimed by the returning officer in respect of the election, and the share thereof which he claims from the person to whom the account is transmitted. He shall annex to the account a notice of the place where the vouchers relating to the account may be seen, and he shall at all reasonable times and without charge allow the person from whom payment is claimed, or any agent of such person, to inspect and take copies of the vouchers.

The returning officer shall not be entitled to any charges which are not duly included in his account.

If the person from whom payment is claimed objects to any part of the claim, he may, at any time within fourteen days from the time when the account is transmitted to him, apply to the court as defined in this section for a taxation of the account, and the court shall have jurisdiction to tax the account in such manner and at such time and place as the court thinks fit, and finally to determine the amount payable to the returning officer and to give and enforce judgment for the same as if such judgment were a judgment in an action in such court, and with or without costs at the discretion of the court.

The court for the purposes of this Act shall be in the city of London the Lord Mayor's Court, and elsewhere in England the County Court, and in Ireland the Civil Bill Court, having jurisdiction at the place of nomination for the election to which the proceedings relate.

The court may depute any of its powers or duties under this Act to the registrar or other principal officer of the court.

Nothing in this section shall apply to the charge of the returning officer for publication of accounts of election expenses (*p*).

5. *Claims against a returning officer.*—Every person having any claim against a returning officer for work, labour, materials, services, or expenses in respect of any contract made with him by or on behalf of the returning officer for the purposes of an election, except for publication of accounts of election expenses, shall, within fourteen days after the day on which the return is made of the person or persons elected at the election, transmit to the returning officer the detailed particulars of such claim in writing, and the returning officer shall not be liable in respect of anything which is not duly stated in such particulars.

Where application is made for taxation of the accounts of a returning officer, he may apply to the court as defined in this Act to examine any claim transmitted to him by any person in pursuance of this section, and the court after notice given to such person, and after hearing him, and any evidence tendered by him, may allow or disallow, or reduce the claim objected to, with or without costs, and the determination of the court shall be final for all purposes, and as against all persons (*q*).

(*p*) See note (*m*), p. 700, *supra*.
(*q*) See note (*m*), p. 700, *supra*.

6. *Use of ballot boxes, &c. provided for municipal elections.*—In any case to which the fourteenth section of the Ballot Act, 1872, is applicable, it shall be the duty of the returning officer, so far as is practicable, to make use of ballot boxes, fittings, and compartments provided for municipal or school board elections, and the court, upon taxation of his accounts, shall have regard to the provisions of this section.

7. *Notices to be given by returning officers.*—There shall be added to every notice of election to be published under the provisions of the Ballot Act, 1872, the notification contained in the Second Schedule to this Act with respect to claims against returning officers (*r*).

8. *Saving of the universities.*—Nothing in this Act shall apply to an election for any university or combination of universities.

10. *Short title.*—This Act may be cited for all purposes as the "Parliamentary Elections (Returning Officers) Act, 1875."

11. *Not to apply to Scotland.*—This Act shall not apply to Scotland.

SCHEDULES (*r*).

FIRST SCHEDULE.

Charges of Returning Officers.

The following are the maximum charges to be made by the returning officer, but the charges are in no case to exceed the sums actually and necessarily paid or payable.

Part I.—Counties and District or Contributory Boroughs.

This Part of this Schedule applies to an election for a county, or for either of the boroughs of Aylesbury, Cricklade, Monmouth, East Retford, Stroud, and New Shoreham, or for any borough or burgh consisting of a combination of separate boroughs, burghs, or towns.

	£ s. d.
For preparing and publishing the notice of election.	2 2 0
For preparing and supplying the nomination papers.	1 1 0
For travelling to and from the place of nomination, or of declaring the poll at a contested election, per mile.	0 1 0
For hire or necessary fitting up of rooms or buildings for polling, or damage or expenses by or for use of such rooms or buildings.	The necessary expenses, not exceeding at any one polling station the charge for constructing and fitting a polling station.

(*r*) See note (*m*), p. 700, *supra*.

FIRST SCHEDULE—PART I.—*continued.*

	£ *s.* *d.*
For constructing a polling station, with its fittings and compartments, in England. And in Ireland the sum or sums payable under the provisions of the 13th and 14th Victoria, chap. 68, and 35th and 36th Victoria, chap. 33. In Ireland the returning officer shall use a court house where one is available as a polling station, and his maximum charge for using and fitting the same shall in no case exceed three pounds three shillings.	7 7 0
For each ballot box required to be purchased.	1 1 0
For the use of each ballot box, when hired.	0 5 0
For stationery at each polling station.....	0 10 0
For printing and providing ballot papers, per thousand.	1 10 0
For each stamping instrument	0 10 0
For copies of the register	The sums payable by statute for the necessary copies.
For each presiding officer	3 3 0
For one clerk at each polling station where not more than 500 voters are assigned to such station.	1 1 0
For an additional clerk at a polling station for every number of 500 voters, or fraction thereof beyond the first 500 assigned to such polling station.	1 1 0
For every person employed in counting votes, not exceeding six such persons where the number of registered electors does not exceed 3,000, and one for every additional 2,000 electors.	1 1 0
For making the return to the clerk of the Crown.	1 1 0
For the preparation and publication of notices (other than the notice of election).	Not exceeding for the whole of such notices 20*l.*, and 1*l.* for every additional 1,000 electors above 3,000.
For conveyance of ballot boxes from the polling stations to the place where the ballot papers are to be counted, per mile.	0 1 0
For professional and other assistance in and about the conduct of the election.	In a contested election not exceeding 25*l.*, and an additional 3*l.* for every 1,000 registered electors or fraction thereof above 3,000 and up to 10,000, and 2*l.* for every 1,000 or fraction thereof above 10,000. In an uncontested election, one fifth of the above sums.

FIRST SCHEDULE—PART I.—*continued.*

For travelling expenses of presiding officers and clerks, per mile.	£ s. d. 0 1 0
For services and expenses in relation to receiving and publishing accounts of election expenses, in respect of each candidate.	2 2 0
For all other expenses	In a contested election, not exceeding 10*l.*, and an additional 1*l.* for every 1,000 electors or fraction thereof above 1,000. In an uncontested election, nil.

NOTE.—Travelling expenses are not to be allowed in the case of any person unless for distances exceeding two miles from the place at which he resides.

PART II.—BOROUGHS.

This Part of the Schedule applies to all boroughs not included in Part I. of this Schedule.

For preparing and publishing the notice of election.	£ s. d. 2 2 0
For preparing and supplying the nomination papers.	1 1 0
For hire or necessary fitting up of rooms or buildings for polling, or damage or expenses by or for use of such rooms or buildings.	The necessary expenses, not exceeding at any one polling station the charge for constructing and fitting a polling station.
In England, for constructing a polling station, with its fittings and compartments, not exceeding two in number.	7 7 0
For each compartment required to be constructed, when more than two be used.	1 1 0
For the use of each compartment hired, when more than two are used.	0 5 0
And in Ireland, in lieu of the charges payable in respect of the foregoing last three services, the sum or sums payable under the provisions of 13th and 14th Victoria, chap. 68, and 35th and 36th Victoria, chap. 33.	
For each ballot box required to be purchased.	1 1 0
For the use of each ballot box, when hired.	0 5 0
For stationery at each polling station	0 10 0

FIRST SCHEDULE—PART II.—*continued.*

	£ s. d.
For printing and providing ballot papers, per thousand.	1 10 0
For each stamping instrument	0 10 0
For copies of the register	The sums payable by statute for the necessary copies.
For each presiding officer	3 3 0
For one clerk at each polling station where not more than 500 voters are assigned to such station.	1 1 0
For an additional clerk at a polling station for every number of 500 voters, or fraction thereof beyond the first 500 assigned to such station.	1 1 0
For every person employed in counting votes, not exceeding six such persons where the number of registered electors does not exceed 3,000, and one for every additional 2,000 electors.	1 1 0
For making the return to the clerk of the Crown.	1 1 0
For the preparation and publication of notices (other than the notice of election).	Not exceeding for the whole of such notices 10*l.*, and 1*l.* for every additional 1,000 electors above 1,000.
For professional and other assistance in and about the conduct of the election.	In a contested election, not exceeding 20*l.*, an additional 2*l.* for every 1,000 registered electors or fraction thereof above 1,000 and up to 10,000, and 1*l.* additional for every 1,000 or fraction thereof above 10,000. In an uncontested election one fifth of the above sum.
For services and expenses in relation to receiving and publishing accounts of election expenses, in respect of each candidate.	1 1 0
For all other expenses	Not exceeding 10*l.*, and an additional 1*l.* for every 1,000 electors above the first 1,000.

NOTE to PARTS I. and II. of SCHEDULE I.—The above sums are the aggregate charges, the amount of which is to be apportioned among the several candidates or other persons liable for the same.

SECOND SCHEDULE (*m*).

1. NOTIFICATION TO BE ADDED TO THE NOTICE OF ELECTION.

Take notice, that by the Parliamentary Elections (Returning Officers) Act, 1875, it is provided that every person having any claim against a returning officer for work, labour, materials, services, or expenses in respect of any contract made with him by or on behalf of the returning officer, for the purposes of an election (except for publications of account of election expenses), shall, within fourteen days after the day on which the return is made of the person or persons elected at the election, transmit to the returning officer the detailed particulars of such claim in writing, and the returning officer shall not be liable in respect of anything which is not duly stated in such particulars.

THIRD SCHEDULE (*m*).

MAXIMUM AMOUNT OF SECURITY WHICH MAY BE REQUIRED BY A RETURNING OFFICER.

	County or District of Contributory Borough.	Borough.
	£	£
Where the registered electors do not exceed 1,000.	150	100
Where the registered electors exceed 1,000 but do not exceed 2,000.	200	150
Where the registered electors exceed 2,000 but do not exceed 4,000.	275	200
Where the registered electors exceed 4,000 but do not exceed 7,000.	400	250
Where the registered electors exceed 7,000 but do not exceed 10,000.	550	300
Where the registered electors exceed 10,000 but do not exceed 15,000.	700	450
Where the registered electors exceed 15,000 but do not exceed 20,000.	800	500
Where the registered electors exceed 20,000 but do not exceed 30,000.	900	600
Where the registered electors exceed 30,000....	1,000	700

If at the end of the two hours appointed for the election, not more candidates stand nominated than there are vacancies to be filled up, the maximum amount which may be required is one fifth of the maximum according to the above scale.

(*m*) See note (*m*), p. 700, *supra*.

PARLIAMENTARY ELECTIONS, RETURNING OFFICERS EXPENSES (SCOTLAND) ACT, 1878 (41 & 42 Vict. c. 41) (*n*).

An Act to enable Returning Officers at Parliamentary Elections in Scotland to require Security for their Expenses; and otherwise to amend the Law of Scotland relating to such Expenses. [8th August, 1878.]

[*Preamble.*]

1. *Short title and construction of Act.*—This Act may be cited for all purposes as the Parliamentary Elections, Returning Officers Expenses (Scotland) Act, 1878, and the Ballot Act, 1872, as modified by this Act, and this Act shall be construed as one Act.

2. *Extent of Act.*—This Act shall extend to Scotland only, and only to parliamentary elections.

3. [*Repealed by sect.* 47 (1) *of the present Act* (*o*).]

4. *Use of ballot boxes, &c. provided for municipal elections.*—In any case to which the fourteenth section of the Ballot Act, 1872, is applicable, it shall be the duty of the returning officer, so far as is practicable, to make use of ballot boxes, fittings, and compartments provided for municipal or school board elections, and the court, upon taxation of his accounts, shall have regard to the provisions of this section.

5. *Saving of the universities.*—Nothing in this Act shall apply to an election for any university or combination of universities.

PARLIAMENTARY ELECTIONS AND CORRUPT PRACTICES ACT, 1880 (43 Vict. c. 18) (*p*).

An Act to amend the Law relating to the Conveyance of Voters to the Poll, and to continue the Acts relating to the Prevention of Corrupt Practices at Parliamentary Elections and the Acts relating to Election Petitions.

[24th March, 1880.]

[*Preamble.*]

1. *Short title.*—This Act may be cited as the Parliamentary Elections and Corrupt Practices Act, 1880.

2. *Repeal of s.* 36 *of* 30 *&* 31 *Vict. c.* 102, *as to payment of expenses of conveyance of voters.*—The thirty-sixth section of the Representation of the People Act, 1867, shall be repealed so far as concerns the conveyance of voters within any borough.

(*n*) This Act was made permanent by sect. 35 of the Representation of the People Act, 1918. See p. 278, *supra*.

(*o*) See pp. 337, 397, *supra*.

(*p*) This Act was made permanent by sect. 35 of the Representation of the People Act, 1918. See p. 278, *supra*.

3. *Amendment of law as to parliamentary elections in Scotland.*—In all elections whatever of a member or members to serve in Parliament for any county, division of a county, or for any city or burgh, or district of burghs, in Scotland, no inquiry shall be permitted at the time of polling as to the right of any person to vote, except only as follows; (that is to say,) that the presiding officer or clerk appointed by the returning officer to attend at a polling station shall, if required on behalf of any candidate, put to any voter at the time of his tendering his vote, and not afterwards, the following questions, or either of them:

1. Are you the same person whose name appears as A. B. on the register of voters now in force for the county of [or for the division of the county of], or for the city [*or* burgh] of , or for the district of burghs [*as the case may be*]?
2. Have you already voted, either here or elsewhere, at this election for the county of [or for the division of the county of], or for the city [*or* burgh] of , or for the district of burghs [*as the case may be*]?

And if any person shall wilfully make a false answer to either of the questions aforesaid, he shall be deemed guilty of a crime and offence within the meaning of the Ballot Act, 1872.

4. *Continuance of Acts.*—This Act and the Acts mentioned in the Schedule to this Act, so far as they are unrepealed, shall continue in force until the thirty-first day of December one thousand eight hundred and eighty-one, and any enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner.

SCHEDULE.

ACTS REFERRED TO.

Session and Chapter.	Title.
17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.
21 & 22 Vict. c. 87.	An Act to continue and amend the Corrupt Practices Prevention Act, 1854.
26 & 27 Vict. c. 29.	An Act to amend and continue the Law relating to Corrupt Practices at Elections of Members of Parliament.
31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.
32 & 33 Vict. c. 21.	The Corrupt Practices Commission Expenses Act, 1869.
34 & 35 Vict. c. 61.	The Election Commissioners Expenses Act, 1871.
42 & 43 Vict. c. 75.	The Parliamentary Elections and Corrupt Practices Act, 1879.

CORRUPT AND ILLEGAL PRACTICES PREVENTION ACT, 1883 (45 & 46 Vict. c. 51) (*p*).

An Act for the better prevention of Corrupt and Illegal Practices at Parliamentary Elections.

[25th August, 1883.]

[*Preamble.*]

Corrupt Practices.

1. *What is treating* (*q*).

2. *What is undue influence* (*r*).

3. *What is corrupt practice.*—The expression "corrupt practice" as used in this Act means any of the following offences; namely, treating and undue influence, as defined by this Act, and bribery, and personation, as defined by the enactments set forth in Part III. of the Third Schedule to this Act, and aiding, abetting, counselling, and procuring the commission of the offence of personation, and every offence which is a corrupt practice within the meaning of this Act shall be a corrupt practice within the meaning of the Parliamentary Elections Act, 1868.

4. *Punishment of candidate found, on election petition, guilty personally of corrupt practices.*—Where upon the trial of an election petition respecting an election for a county or borough the election court, by the report made to the Speaker in pursuance of section eleven of the Parliamentary Elections Act, 1868, reports that any corrupt practice other than treating or undue influence has been proved to have been committed in reference to such election by or with the knowledge and consent of any candidate at such election, or that the offence of treating or undue influence has been proved to have been committed in reference to such election by any candidate at such election, that candidate shall not be capable of ever being elected to or sitting in the House of Commons for the said county or borough, and if he has been elected, his election shall be void; and he shall further be subject to the same incapacities as if at the date of the said report he had been convicted on an indictment of a corrupt practice.

5. *Punishment of candidate found, on election petition, guilty by agents of corrupt practices.*—Upon the trial of an election petition respecting an election for a county or borough, in which a charge is made of any corrupt practice having been committed in reference to such election, the election court shall report in writing to the Speaker whether any of the candidates at such election has been guilty by his agents of any corrupt practice in reference to such election; and if the report is that any candidate at such election has been guilty by his agents of any

(*p*) This Act was made permanent by sect. 35 of the Representation of the People Act, 1918. See p. 278, *supra*.

(*q*) The definition of treating given in this section is set out on pp. 291—292, *supra*.

(*r*) The definition of undue influence given in this section is set out on p. 292, *supra*.

corrupt practice in reference to such election, that candidate shall not be capable of being elected to or sitting in the House of Commons for such county or borough for seven years after the date of the report, and if he has been elected his election shall be void.

6. *Punishment of person convicted on indictment of corrupt practices* (*t*).

ILLEGAL PRACTICES (*u*).

[Sects. 7—12.]

12. *Extension of* 15 *&* 16 *Vict. c.* 57, *respecting election commissioners to illegal practices.*

ILLEGAL PAYMENT, EMPLOYMENT, AND HIRING (*x*).

[Sects. 13—21.]

EXCUSE AND EXCEPTION FOR CORRUPT OR ILLEGAL PRACTICE OR ILLEGAL PAYMENT, EMPLOYMENT, OR HIRING (*y*).

22. *Report exonerating candidate in certain cases of corrupt and illegal practice by agents* (*z*).

23. *Power of High Court and election court to except innocent act from being illegal practice* (*a*).

ELECTION EXPENSES.

[Sects. 24—35.]

24. *Nomination of election agent.*—(1) On or before the day of nomination at an election, a person shall be named by or on behalf of each candidate as his agent for such election (in this Act referred to as the election agent).

(2) A candidate may name himself as election agent, and thereupon shall, so far as circumstances admit, be subject to the provisions of this Act both as a candidate and as an election agent, and any reference in this Act to an election agent shall be construed to refer to the candidate acting in his capacity of election agent.

(3) On or before the day of nomination the name and address of the election agent of each candidate shall be declared in writing by the candidate or some other person on his behalf to the returning officer, and the returning officer shall forthwith give public notice of the name and address of every election agent so declared.

(4) One election agent only shall be appointed for each candidate, but the appointment, whether the election agent appointed

(*t*) See pp. 274—275, *supra*, where sect. 6 (1), (3), (4), are set out, and pp. 287. 288, where the effect of sect. 6 (2) is given.

(*u*) For a list of these, see pp. 294—299, *supra*.

(*x*) As to what constitutes illegal payment, employment, and hiring respectively, see pp. 299—300, 300—301, and 301—302, *supra*, respectively.

(*y*) As to this, see the Author's "Law of Parliamentary Elections and Election Petitions," 2nd ed., pp. 178—187.

(*z*) *Ibid.* p. 178—181.

(*a*) *Ibid.* p. 181—187.

be the candidate himself or not, may be revoked, and in the event of such revocation or his death, whether such event is before, during, or after the election, then forthwith another election agent shall be appointed, and his name and address declared in writing to the returning officer, who shall forthwith give public notice of the same.

25. *Nomination of deputy election agent as sub-agent.*

26. *Office of election agent and sub-agent.*

27. *Making of contracts through election agent.*

28. *Payment of expenses through election agent.*

29. *Period for sending in claims and making payments for election expenses.*

30. *Reference to taxation of claim against candidates.*

31. *Personal expenses of candidate and petty expenses.*—(1) The candidate at an election may pay any personal expenses incurred by him on account of or in connexion with or incidental to such election to an amount not exceeding one hundred pounds, but any further personal expenses so incurred by him shall be paid by his election agent.

(2) The candidate shall send to the election agent within the time limited by this Act for sending in claims a written statement of the amount of personal expenses paid as aforesaid by such candidate.

(3) Any person may, if so authorised in writing by the election agent of the candidate, pay any necessary expenses for stationery, postage, telegrams, and other petty expenses, to a total amount not exceeding that named in the authority, but any excess above the total amount so named shall be paid by the election agent.

(4) A statement of the particulars of payments made by any person so authorised shall be sent to the election agent within the time limited by this Act for the sending in of claims, and shall be vouched for by a bill containing the receipt of that person.

32. *Remuneration of election agent* . . . .—(1) So far as circumstances admit, this Act shall apply to a claim for his remuneration by an election agent and to the payment thereof in like manner as if he were any other creditor, and if any difference arises respecting the amount of such claim the claim shall be a disputed claim within the meaning of this Act, and be dealt with accordingly.

(2) . . . (*b*).

33. *Return and declaration* (*c*) *respecting election expenses* (*d*).

34. *Authorised excuse for non-compliance with provisions as to return and declaration respecting election expenses.*

35. *Publication of summary of return of election expenses* (*d*).

(*b*) Repealed by the present Act. See sect. 47 (1), p. 337, *supra*, and p. 398, *supra*.

(*c*) The effect of part of this section is given on p. 264, *supra*.

(*d*) As to repeal of part of this section by the present Act, see sect. 47 (1), p. 337, *supra*, and p. 398, *supra*.

DISQUALIFICATION OF ELECTORS.

36. *Prohibition of persons guilty of corrupt or illegal practices, &c. from voting.*—Every person guilty of a corrupt or illegal practice or of illegal employment, payment, or hiring at an election is prohibited from voting at such election, and if any such person votes his vote shall be void.

37. *Prohibition of disqualified persons from voting.*—Every person who, in consequence of conviction or of the report of any election court or election commissioners under this Act, or under the Corrupt Practices (Municipal Elections) Act, 1872, or under Part IV. of the Municipal Corporations Act, 1882, or under any other Act for the time being in force relating to corrupt practices at an election for any public office, has become incapable of voting at any election, whether a parliamentary election or an election to any public office, is prohibited from voting at any such election, and his vote shall be void.

38. *Hearing of person before he is reported guilty of corrupt or illegal practice, and incapacity of person reported guilty* (*e*).

39. *List in register of voters of persons incapacitated for voting by corrupt or illegal practices.*—(1) The registration officer in every county and borough shall annually make out a list containing the names and description of all persons who, though otherwise qualified to vote at a parliamentary election for such county or borough respectively, are not capable of voting by reason of having after the commencement of this Act been found guilty of a corrupt or illegal practice on conviction or by the report of any election court or election commissioners whether under this Act, or under Part IV. of the Municipal Corporations Act, 1882, or under any other Act for the time being in force relating to a parliamentary election or an election to any public office; and such officer shall state in the list (in this Act referred to as the corrupt and illegal practices list), the offence of which each person has been found guilty.

(2) For the purpose of making out such list he shall examine the report of any election court or election commissioners who have respectively tried an election petition or inquired into an election where the election (whether a parliamentary election or an election to any public office) was held in any of the following places; that is to say,

(a) if he is the registration officer of a county, in that county, or in any borough in that county; and

(b) if he is the registration officer of a borough, in the county in which such borough is situate, or in any borough in that county.

(3) (*f*) . . .

(4) Any person named in the corrupt and illegal practices list may claim to have his name omitted therefrom, and any person entitled to object to any list of voters for the county or borough may object to the omission of the name of any person from such list. Such claims and objections shall be sent in within the same time and be dealt with in like manner, and any such objec-

(*e*) For the effect of part of sub-sect. (5) of this section, see p. 7, *supra*.

(*f*) This sub-section is repealed by the present Act. See sect. 47 (1), p. 337, *supra*, and p. 398, *supra*.

tion shall be served on the person referred to therein in like manner, as nearly as circumstances admit, as other claims and objections under the enactments relating to the registration of parliamentary electors.

* * * * *

(8) The corrupt and illegal practices list shall be appended to the register of electors, and shall be printed and published therewith wherever the same is printed or published.

PROCEEDINGS ON ELECTION PETITION.

[Sects. 40—44.]

40. *Time for presentation of election petitions alleging illegal practice.*

41. *Withdrawal of election petition.*

42. *Continuation of trial of election petition.*

43. *Attendance of Director of public prosecutions on trial of election petition, and prosecution by him of offenders.*

44. *Power to election court to order payment by county or borough or individual of costs of election petition.*

MISCELLANEOUS.

46. *Removal of incapacity on proof that it was procured by perjury.*

47. (*g*) . . .

48. *Conveyance of voters by sea in certain cases.*

LEGAL PROCEEDINGS.

50. *Trial in Central Criminal Court of indictment for corrupt practice at instance of Attorney-General.*

51. *Limitation of time for prosecution of offence.*

52. *Persons charged with corrupt practice may be found guilty of illegal practice.*

54. *Prosecution on summary conviction, and appeal to quarter sessions.*—(1) All offences under this Act punishable on summary conviction may be prosecuted in manner provided by the Summary Jurisdiction Acts.

(2) A person aggrieved by a conviction by a court of summary jurisdiction for an offence under this Act may appeal to general or quarter sessions against such conviction.

SUPPLEMENTAL PROVISIONS, DEFINITIONS, SAVINGS, AND REPEAL.

59. *Obligation of witness to answer, and certificate of indemnity.*

61. *Breach of duty by officer.*—(1) Section eleven of the Ballot Act, 1872, shall apply to a returning officer or presiding officer or clerk who is guilty of any wilful misfeasance or wilful act or omission in contravention of this Act in like manner as if the same were in contravention of the Ballot Act, 1872.

(2) Section ninety-seven of the Parliamentary Registration Act, 1843, shall apply to every registration officer who is guilty of any wilful misfeasance or wilful act of commission or omission

(*g*) This section is repealed by the present Act. See sect. 47 (1), p. 337, *supra*, and p. 398, *supra*.

contrary to this Act in like manner as if the same were contrary to the Parliamentary Registration Act, 1843.

62. *Publication and service of notices.*

63. *Definition of candidate, and saving for persons nominated without consent.*—(1) In the Corrupt Practices Prevention Acts, as amended by this Act, the expression "candidate at an election" and the expression "candidate" respectively mean, unless the context otherwise requires, any person elected to serve in Parliament at such election, and any person who is nominated as a candidate at such election, or is declared by himself or by others to be a candidate, on or after the day of the issue of the writ for such election, or after the dissolution or vacancy in consequence of which such writ has been issued;

(2) Provided that where a person has been nominated as a candidate or declared to be a candidate by others, then—

(a) If he was so nominated or declared without his consent, nothing in this Act shall be construed to impose any liability on such person, unless he has afterwards given his assent to such nomination or declaration or has been elected; and

(b) If he was so nominated or declared, either without his consent or in his absence and he takes no part in the election, he may, if he thinks fit, make the declaration respecting election expenses contained in the second part of the Second Schedule to this Act, and the election agent shall, so far as circumstances admit, comply with the provisions of this Act with respect to expenses incurred on account of or in respect of the conduct or management of the election in like manner as if the candidate had been nominated or declared with his consent.

64. *General interpretation of terms* (*h*).

Application of Act to Scotland.

68 (*h*). This Act shall apply to Scotland, with the following modifications:

* * * * *

The expression "Summary Jurisdiction Acts" shall mean the Summary Jurisdiction (Scotland) Acts 1864 and 1881 and any Acts amending the same.

(4) The jurisdiction of the High Court of Justice under this Act shall, in Scotland, be exercised by one of the Divisions of the Court of Session, or by a judge of the said court to whom the same may be remitted by such division, and subject to an appeal thereto, and the Court of Session shall have power to make Acts of sederunt for the purposes of this Act.

(6) All offences under this Act punishable on summary conviction may be prosecuted in the sheriff court in manner provided by the Summary Jurisdiction Acts, and all necessary jurisdictions are hereby conferred on sheriffs.

(*h*) As to repeal of part of this section, by present Act, see sect. 47 (1), p. 337, *supra*, and p. 398, *supra*.

(7) The authority given by this Act to the Director of public prosecutions in England shall in Scotland be exercised by Her Majesty's advocate, and the reference to the Prosecution of Offences Act, 1879, shall not apply.

* * * * *

APPLICATION OF ACT TO IRELAND.

69. *Application of Act to Ireland.*—This Act shall apply to Ireland, with the following modifications:

* * * * *

(2) The expression "Summary Jurisdiction Acts" means, with reference to the Dublin Metropolitan Police District, the Acts regulating the powers and duties of justices of the peace and of the police in such district; and with reference to other parts of Ireland means the Petty Sessions (Ireland) Act, 1851, and any Acts amending the said Act.

(3) Section one hundred and three of the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine, shall be substituted for section ninety-seven of the Parliamentary Registration Act, 1843, where reference is made to that section in this Act.

(4) The provision with respect to the registration officer sending the corrupt and illegal practices list to overseers and the dealing with such list by overseers shall not apply, and in lieu thereof it is hereby enacted that the registration officer shall, after making out such list, himself publish the same (*i*).

(5) The Supreme Court of Judicature in Ireland shall be substituted for the Supreme Court of Judicature.

(6) The High Court of Justice in Ireland shall be substituted for the High Court of Justice in England.

(8) The Attorney-General for Ireland shall be substituted for the Director of Public Prosecutions, and the reference to the Prosecution of the Offences Act, 1879, shall not apply.

(9) (*k*) . . .

(10) Any reference to Part IV. of the Municipal Corporations Act, 1882, shall be construed to refer to the Corrupt Practices (Municipal Elections) Act, 1872.

SCHEDULES.

FIRST SCHEDULE (*l*).

(*i*) For repeal in this sub-section, see sect. 47 (1) of the present Act, p. 337, *supra*, and p. 398, *supra*.

(*k*) This sub-section is repealed by present Act. See sect. 47 (1), p. 337, *supra*, and p. 398, *supra*.

(*l*) This schedule, with the substitutions and alterations in Parts IV. and V. introduced by sect. 33 (1) of the Representation of the People Act, 1918, is set out on pp. 224—230, *supra*.

SECOND SCHEDULE.

FORMS OF DECLARATIONS AS TO EXPENSES (*m*).

THIRD SCHEDULE.

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PART THREE.

ENACTMENTS DEFINING THE OFFENCES OF BRIBERY (*n*) AND PERSONATION (*o*).

The Corrupt Practices Prevention Act, 1854, 17 & 18 Vict. c. 102, ss. 2, 3 (*p*).

LOCAL GOVERNMENT (ELECTIONS) ACT, 1896 (59 VICT. c. 1) (*q*).

An Act to continue temporarily certain Powers for the Removal of Difficulties at Elections under the Local Government Act, 1894. [6th March, 1896.]

[*Preamble.*]

1. *Power of county council to remove difficulties.*—(1) If any difficulty arises with respect to any election of parish or district councillors or of guardians, or to the first meeting after any ordinary election of such councillors or guardians, or if, from an election not being held, or being defective, or otherwise, the council or board has not been properly constituted, the county council may by order make any appointment or do anything which appears to them necessary or expedient for the proper holding of any such election or meeting, and properly constituting the council or board, and may, if it appears to them necessary, direct the holding of an election or meeting, and fix the dates for any such election or meeting.

(2) Any such order may modify the provisions of the Local Government Act, 1894, and the enactments applied by, or rules framed under, that Act, so far as may appear to the county council necessary or expedient for carrying the order into effect.

(3) A county council may delegate their powers under this section to a committee.

3. *Short title.*—This Act may be cited as the Local Government (Elections) Act, 1896.

(*m*) As to these, see the Author's "Law of Parliamentary Elections and Election Petitions," 2nd ed., pp. 136—139, 339—342.

(*n*) For definition of bribery, see pp. 289—291, *supra*.

(*o*) For definition of personation, see pp. 287—289, *supra*.

(*p*) The provisions of these sections are set out on pp. 289—291, *supra*.

(*q*) This Act was made permanent by sect. 35 of the present Act. See p. 278, *supra*.

APPENDIX IV.

Draft Rules as to Proportional Representation.

COPY OF DRAFT RULES (*a*) PRESCRIBING THE METHOD OF VOTING AND TRANSFERRING AND COUNTING VOTES AT ANY ELECTION ACCORDING TO THE PRINCIPLE OF THE SINGLE TRANSFERABLE VOTE.

[Cd. 8768.]

I.—PARLIAMENTARY ELECTIONS (SINGLE TRANSFERABLE VOTE) RULES.

[Note.—*These rules have been drawn in a general form in order to show the principles to be followed. They will require modification if the single transferable vote is only to be used at university elections.*]

1. *Conduct of election.*—At a parliamentary election, where there are two or more members to be elected, any election of the full number of members shall be conducted in accordance with the following rules, as illustrated in the First Schedule thereto.

2. *Method of voting.*—(1) Every elector shall have one vote only.

(2) An elector in giving his vote—

(a) must place on his ballot paper the figure 1 in the square opposite the name of the candidate for whom he votes;

(b) may in addition place on his ballot paper the figure 2 or the figures 2 and 3, or 2, 3, and 4, and so on in the squares opposite the names of other candidates in the order of his preference.

3. The forms contained in the Second Schedule to these rules shall be substituted for the forms of front of ballot paper and of directions for the guidance of the voter contained in the Second Schedule to the Ballot Act, 1872.

(*a*) These Draft Rules (Parliamentary Paper Cd. 8768) were presented to Parliament by Command of His Majesty in 1917, and although they were not made the subject of an Order in Council, they are valuable as explaining the working of the system of Proportional Representation.

4. *Invalid ballot papers.*—A ballot paper shall be invalid on which—

(a) the figure 1 is not marked; or

(b) the figure 1 is set opposite the name of more than one candidate; or

(c) the figure 1 and some other figure is set opposite the name of the same candidate; or

(d) any mark is made not authorised by the Ballot Act, 1872, as modified by this Act.

4A. *Arrangement of ballot papers.*—After the ballot papers have been mixed, in accordance with the rules contained in the First Schedule of the Ballot Act, 1872, the returning officer shall examine the ballot papers and, after rejecting any that are invalid, shall arrange the remainder in parcels according to the first preferences recorded for each candidate.

5. *Counting of votes.*—The returning officer shall then count the number of papers in each parcel, and credit each candidate with one vote in respect of each valid paper on which a first preference has been recorded for him, and he shall ascertain the total number of valid papers.

6. *Ascertainment of quota.*—The returning officer shall then divide the total number of valid papers by a number exceeding by one the number of vacancies to be filled, and the result increased by one, disregarding any fractional remainder, shall be the number of votes sufficient to secure the return of a candidate (hereinafter called the "quota").

7. *Candidates with quota elected.*—If at any time the number of votes credited to a candidate is equal to or greater than the quota, that candidate shall be declared elected.

8. *Transfer of surplus.*—(1) If at any time the number of votes credited to a candidate is greater than the quota, the surplus shall be transferred in accordance with the provisions of this rule to the continuing candidates indicated on the ballot papers in the parcel of the elected candidate as being next in order of the voters' preference.

(2)—(a) If the votes credited to an elected candidate consist of original votes only, the returning officer shall examine all the papers in the parcel of the elected candidate whose surplus is to be transferred and shall arrange the transferable papers in sub-parcels according to the next preferences recorded thereon.

(b) If the votes credited to an elected candidate consist of original and transferred votes, or of transferred votes only, the returning officer shall examine the papers contained in the sub-parcel last received by the elected candidate and shall arrange the transferable papers therein in further sub-parcels according to the next preferences recorded thereon.

(c) In either case the returning officer shall make a separate sub-parcel of the non-transferable papers and shall ascertain the number of papers in each sub-parcel of transferable papers and in the sub-parcel of non-transferable papers.

(3) If the total number of papers in the sub-parcels of transferable papers is equal to or less than the surplus, the returning officer shall transfer each sub-parcel of transferable papers to

the continuing candidate indicated thereon as the voters' next preference.

(4) —(a) If the total number of transferable papers is greater than the surplus, the returning officer shall transfer from each sub-parcel the number of papers which bears the same proportion to the number of papers in the sub-parcel as the surplus bears to the total number of transferable papers.

(b) The number of papers to be transferred from each sub-parcel shall be ascertained by multiplying the number of papers in the sub-parcel by the surplus and dividing the result by the total number of transferable papers. A note shall be made of the fractional parts, if any, of each number so ascertained.

(c) If, owing to the existence of such fractional parts, the number of papers to be transferred is less than the surplus so many of these fractional parts taken in the order of their magnitude, beginning with the largest, as are necessary to make the total number of papers to be transferred equal to the surplus, shall be reckoned as of the value of unity, and the remaining fractional parts shall be ignored.

(d) The particular papers to be transferred from each sub-parcel shall be those last filed in the sub-parcel.

(e) Each paper transferred shall be marked in such a manner as to indicate the candidate from and to whom the transfer is made.

(5)—(a) If more than one candidate has a surplus, the largest surplus shall be first dealt with.

(b) If two or more candidates have each the same surplus, regard shall be had to the number of original votes obtained by each candidate, and the surplus of the candidate credited with the largest number of original votes shall be first dealt with, and, if the numbers of the original votes are equal, the returning officer shall decide which surplus he will first deal with.

(c) The returning officer need not transfer the surplus of an elected candidate when that surplus together with any other surplus not transferred does not exceed the difference between the totals of the votes credited to the two continuing candidates lowest on the poll.

9. *Exclusion of candidates lowest on the poll*—(1) If at any time no candidate has a surplus (or when under the preceding rule any existing surplus need not be transferred), and one or more vacancies remain unfilled, the returning officer shall exclude from the poll the candidate credited with the lowest number of votes, and shall examine all the papers of that candidate, and shall arrange the transferable papers in sub-parcels according to the next preferences recorded thereon for continuing candidates, and shall transfer each sub-parcel to the candidate for whom that preference is recorded.

(2) If the total of the votes of the two or more candidates lowest on the poll, together with any surplus votes not transferred, is less than the votes credited to the next highest candidate, the returning officer may in one operation exclude those candidates from the poll and transfer their votes in accordance with the preceding regulation.

(3) If, when a candidate has to be excluded under this rule,

two or more candidates have each the same number of votes and are lowest on the poll, regard shall be had to the number of original votes credited to each of those candidates, and the candidate with fewest original votes shall be excluded, and, where the numbers of the original votes are equal, regard shall be had to the total number of votes credited to those candidates at the first transfer at which they had an unequal number of votes, and the candidate with the lowest number of votes at that transfer shall be excluded, and, where the numbers of votes credited to those candidates were equal at all transfers, the returning officer shall decide which shall be excluded.

10. *Disposal of papers after any transfer.*—(1) Whenever any transfer is made under any of the preceding rules, each subparcel of papers transferred shall be added to the parcel, if any, of papers of the candidate to whom the transfer is made, and that candidate shall be credited with one vote in respect of each paper transferred. Such papers as are not transferred shall be set aside as finally dealt with, and the votes given thereon shall thenceforth not be taken into account.

(2) If after any transfer a candidate has a surplus, that surplus shall be dealt with in accordance with and subject to the provisions contained in Rule 5 before any other candidate is excluded.

11. *Filling the last vacancies.*—(1) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled, the continuing candidates shall be declared elected.

(2) When only one vacancy remains unfilled, and the votes of some one continuing candidate exceed the total of all the votes of the other continuing candidates, together with any surplus not transferred, that candidate shall be declared elected.

(3) When the last vacancies can be filled under this rule, no further transfer of votes need be made.

12. *Public notice of the result of the election.*—The returning officer shall record and give public notice of any transfer of votes made under these rules, and of the total number of votes credited to each candidate after any such transfer, in addition to the particulars prescribed by Rule 45 to the First Schedule to the Ballot Act, 1872. Such public notice may be in accordance with the form given in the appendix to these rules.

13. *Provision for recounts.*—(1) Any candidate or his agent may, at any time during the counting of the votes, either before the commencement or after the completion of any transfer of votes (whether surplus or otherwise), request the returning officer to re-examine and recount the papers of all or any candidates (not being papers set aside at any previous transfer as finally dealt with), and the returning officer shall forthwith re-examine and recount the same accordingly. The returning officer may also at his discretion recount votes either once or more often in any case in which he is not satisfied as to the accuracy of any previous count: Provided that nothing herein shall make it obligatory on the returning officer to recount the same votes more than once.

(2) If upon an election petition—

(i) any ballot papers counted by the returning officer are rejected as invalid, or

(ii) any ballot papers rejected by the returning officer are declared valid,

the court may direct the whole or any part of the ballot papers to be recounted and the result of the election ascertained in accordance with these rules.

(3) On any recount, subject to such modifications as may be necessary by reason of any error in the original count, each paper shall take the same course as at the original count.

14. *Determination of questions arising from transfers of votes.*—(1) If any question shall arise in relation to any transfer of votes, the decision of the returning officer, whether expressed or implied by his acts, shall be final unless an objection is made by any candidate or his agent before the declaration of the poll, and in that event the decision of the returning officer may be reversed upon an election petition.

(2) If any decision of the returning officer is so reversed, the transfer in question and all operations subsequent thereto shall be void and the court shall direct what transfer is to be made in place of the transfer in question, and shall cause the subsequent operations to be carried out and the result of the election to be ascertained in accordance with these rules.

15. *Definitions.*—In these rules—

(1) The expression "continuing candidate" means any candidate not elected and not excluded from the poll:

(2) The expression "first preference" means the figure "1"; the expression "second preference" means the figure "2"; and the expression "third preference" means the figure "3," set opposite the name of any candidate, and so on:

(3) The expression "transferable paper" means a ballot paper on which a second or subsequent preference is recorded for a continuing candidate:

(4) The expression "non-transferable paper" means a ballot paper on which no second or subsequent preference is recorded for a continuing candidate:

Provided that a paper shall be deemed to be a non-transferable paper in any case in which—

(a) The names of two or more candidates (whether continuing or not) are marked with the same figure, and are next in order of preference; or

(b) The name of the candidate next in order of preference (whether continuing or not) is marked—

(i) by a figure not following consecutively after some other figure on the ballot paper; or

(ii) by two or more figures:

(5) The expression "original vote" in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for that candidate:

(6) The expression "transferred vote" in regard to any candidate, means a vote derived from a ballot paper on which a second or subsequent preference is recorded for that candidate:

(7) The expression "surplus" means the number of votes by which the total number of the votes, original and

transferred, credited to any candidate, exceeds the quota.

16. *Construction.*—These rules shall be construed as one with the Ballot Act, 1872, and that Act shall, in cases to which these rules are applicable, have effect subject to these rules.

17. *Short title.*—These rules may be cited as the Parliamentary Elections (Single Transferable Vote) Rules, 1917.

SCHEDULES.

FIRST SCHEDULE.

EXAMPLE OF AN ELECTION CONDUCTED ON THE SYSTEM OF THE SINGLE TRANSFERABLE VOTE SET OUT ABOVE.

Let it be assumed that there are five members to be elected, and that there are ten candidates, A, B, C, D, E, F, G, H, I, K.

Arrangement of ballot papers (*Rule* 3).—The ballot papers are examined, and the valid papers are arranged in separate parcels under the names of the candidates marked with the figure 1.

Counting the votes (*Rule* 5).—Each separate parcel is counted, and each candidate is credited with one vote in respect of each paper on which a first preference has been recorded for him.

The result of the count may be supposed to be as follows:—

	Votes.
A	2,009
B	952
C	939
D	746
E	493
F	341
G	157
H	152
I	118
K	93
Total	6,000

The Quota.

Ascertainment of quota (*Rule* 6).—It is found that the total of all the valid votes is 6,000. This total is divided by six (*i.e.*, the number which exceeds by one the number of vacancies to be filled), and 1,001 (*i.e.*, the quotient 1,000 increased by one) is the "quota," or the number of votes sufficient to elect a member.

Candidate with quota elected (*Rule* 7).—A's votes exceed the quota, and he is declared elected.

First Transfer.

Transfer of surplus votes of elected candidate (*Rule* 8).—A has 1,008 surplus votes (*i.e.*, A's total 2,009, less the quota 1,001), and it is necessary to transfer this surplus (Rule 8 (1)).

All A's 2,009 papers are examined and arranged in separate sub-parcels according to the second preferences indicated thereon (Rule 8 (2) (a)).

A separate sub-parcel is also formed of those papers on which no further available preference, *i.e.*, no further preference for any continuing candidate, is shown, and which are therefore not transferable (Rule 8 (2) (c)).

The result is found to be as follows:—

A next available preference is shown for D on	257 papers.
A next available preference is shown for E on	11 papers.
A next available preference is shown for F on	28 papers.
A next available preference is shown for G on	1,708 papers.
Total of transferable papers	2,004 papers.
Total of non-transferable papers	5 papers.
Total of A's papers	2,009

Proportion of papers to be transferred (*Rule* 8 (4) (a)).—Since the total number of transferable papers (2,004) exceeds the surplus (1,008), only a portion of each sub-parcel can be transferred, and the number of papers to be transferred from each sub-parcel must bear the same proportion to the total number of papers in the sub-parcel as that which the surplus bears to the total number of transferable papers.

How numbers to be transferred are ascertained (*Rule* 8 (4)(b)).—In other words, the number of papers to be transferred from each sub-parcel is ascertained by multiplying the number of papers in the sub-parcel by 1,008 (the surplus), and dividing the result by 2,004 (the total number of transferable papers).

The process is as follows:—

D's sub-parcel contains 257 papers, and his share of the surplus is, therefore:—

$$257 \times \frac{1,008}{2,004} \text{ or } 129\frac{540}{2,004}$$

E's sub-parcel contains 11 papers, and his share of the surplus is, therefore:—

$$11 \times \frac{1,008}{2,004} \text{ or } 5\frac{1,068}{2,004}$$

F's sub-parcel contains 28 papers, and his share of the surplus is, therefore:—

$$28 \times \frac{1,008}{2,004} \text{ or } 14\frac{168}{2,004}$$

G's sub-parcel contains 1,708 papers, and his share of the surplus is, therefore:—

$$1,708 \times \frac{1,008}{2,004} \text{ or } 859\frac{228}{2,004}$$

Total 1,008

Treatment of fractions in transferring surplus votes (*Rule* 8 (4) (c)).—The numbers of papers to be transferred as determined by the preceding process contain fractions, and, since only whole papers can be transferred, so many of the largest of these fractions, taken in order of their magnitude, as will make the total number of papers to be transferred equal to the surplus are reckoned as of the value of unity.

Thus, as the *whole* numbers determined above amount to only 1,007, viz., (129 + 5 + 14 + 859), or one short of the surplus 1,008, the largest fraction $\frac{1,068}{2,004}$ is reckoned as unity, and the numbers of papers to be transferred are as follows:—

To D	129	papers.
To E	6	papers.
To F	14	papers.
To G	859	papers.
Total, being A's surplus	1,008	papers.

Selection and marking of papers to be transferred (*Rule* 8 (4) (d) *and* (e)).—The particular papers to be transferred to D, E, F, and G are those last filed in their respective sub-parcels, and, therefore, at the top of the sub-parcels. The papers to be transferred are to be marked so as to indicate the candidates from and to whom the transfer is made.

Disposal of papers after transfer (*Rule* 10 (1)).—These papers are added in separate sub-parcels to the parcels of D, E, F, and G.

The totals of the votes credited to these candidates then become:—

		Votes.
D	746 + 129 =	875
E	493 + 6 =	499
F	341 + 14 =	355
G	157 + 859 =	1,016

Quota of papers of elected candidate set aside (*Rule* 10 (1)).—The remainders of the papers in the sub-parcels (*i.e.*, those papers not transferred), together with the papers on which no further available preferences were marked, are collected together and formed into one parcel, representing A's quota of votes (1,001), and these papers are set aside as finally dealt with. The parcel is made up as follows:—

The remainder of D's sub-parcel,	257	less 129 =	128
The remainder of E's sub-parcel,	11	less 6 =	5
The remainder of F's sub-parcel,	28	less 14 =	14
The remainder of G's sub-parcel,	1,708	less 859 =	849
Non-transferable papers ...			5
Total, being A's quota			1,001

The operations involved in this transfer are summarised in the following table:—

Transfer of A's Surplus.

Surplus		1,008
Number of transferable papers		2,004
Proportion to be transferred ...	$= \frac{\text{Surplus}}{\text{Number of transferable papers}} =$	1,008 / 2,004

Names of Candidates marked as the next available preferences.	Number of Original Papers.	Number of Papers transferred.	Number of Papers retained for A's quota.
B	—	—	—
C	—	—	—
D	257	129	128
E	11	6	5
F	28	14	14
G	1,708	859	849
H	—	—	—
I	—	—	—
K	—	—	—
Total number of transferable papers..	2,004	1,008	996
Number of non-transferable papers ..	5	—	5
Totals	2,009	1,008	1,001

State of poll after first transfer.—The state of the poll on the conclusion of the transfer is as follows:—

	Votes.
A	1,001 elected.
G	1,016
B	952
C	939
D	875
E	499
F	355
H	152
I	118
K	93
Total	6,000

Election of candidate as a result of transfer (*Rule* 7).—G now has 1,016 votes, a number which is more than the quota. He is accordingly declared elected.

Second Transfer.

Surplus not transferred in special case (*Rule* 8 (5) (c)).—G's surplus (1,016 less 1,001, or 15) would have to be transferred were it not for the provision of Rule 8 (5) (c). Under the latter rule the returning officer need not transfer a surplus which is less than the difference between the two lowest candidates on

the poll, and where, therefore, the transfer could not alter the relative position of these two candidates, even if the whole surplus were transferred to the lowest candidate. In this case the difference between I and K, the two lowest candidates, is 25 (118 less 93), and therefore G's surplus need not be transferred.

Transfer of votes of candidate lowest on the poll (*Rule* 9 (1)).—The returning officer proceeds to distribute the papers of the candidate with the smallest total of votes.

K's parcel of 93 papers is therefore examined. It is found to contain 89 papers on which F is the next preference, and 4 on which C is the next preference.

Therefore 89 papers are transferred to F and 4 to C.

State of poll after second transfer.—The poll now stands as follows:—

	Votes.	
A	1,001	elected.
G	1,016	elected.
B	952	
C	943	
D	875	
E	499	
F	444	
H	152	
I	118	
Total	6,000	

Third Transfer.

Transfer in special case of the votes of the two lowest candidates in one operation (*Rule* 9 (2)).—The poll shows that as a result of the second transfer no further candidate obtained the quota which would entitle him to election, and the next operation has to be determined upon.

The difference between I and H (152 less 118, *i.e.*, 34) exceeds G's surplus (15), which, therefore, is still allowed to remain untransferred (Rule 8 (5) (c)).

Candidate I is lowest on the poll, and his papers have to be distributed in the same manner as K's (Rule 9 (1)). But as the combined totals of H and I together with G's surplus (152 + 118 + 15 = 285) are less than 444, the total of F, the next highest candidate, the returning officer avails himself of Rule 9 (2), and distributes the papers of both H and I in one operation.

The papers (152 + 118, or 270 in all) in the parcels of H and I are examined in one operation, and it is found that—

B is marked next preference on	119	papers.
D is marked next preference on	107	papers.
Non-transferable papers	44	papers.
Total	270	papers.

It should be stated that on some papers some or one of the candidates A, G, I, H, and K may have been marked as next in order of preference on the papers examined, but, as all these candidates are already either elected or excluded, any papers so marked pass to those of the other candidates for whom the next available preferences have been recorded.

The operation is completed by the transfer of 119 papers to B, and 107 to D, whilst the 44 non-transferable papers are set aside as finally dealt with (Rule 10 (1)).

The poll now stands as follows:—

	Votes.
A	1,001 elected.
G	1,016 elected.
B	1,071
D	982
C	943
E	499
F	414
Non-transferable papers	44
Total	6,000

Election of candidate as the result of a transfer (*Rule* 7).—B now has 1,071 votes, a number which exceeds the quota. He is accordingly declared elected.

Fourth Transfer.

Transfer of surplus votes arising from a previous transfer (*Rule* 10 (2)).—B's surplus (70) exceeds the difference (55) between E and F, the two candidates lowest on the poll, and it is, therefore, necessary to distribute it.

Sub-parcel of votes last transferred examined (*Rule* 8 (2) (b)).—For this purpose, only the sub-parcel of papers last transferred, containing 119 papers, is taken into account.

These are examined and arranged in sub-parcels (in the same manner as A's papers were examined and arranged) with the following result:—

A next preference is shown for E on 84 papers.

No further preference is shown on 35 papers.

The total number of transferable papers (84) is thus greater than the surplus (70), and the proportion to be transferred is $\frac{70}{84}$. But there is only one candidate, E, entitled to participate in the transfer. E accordingly receives the whole of the surplus and the 70 papers last filed in E's sub-parcel are, therefore, transferred to him, after being marked so as to indicate their transfer from B to E. (Rule 5 (4) (c).)

The remainder of the papers in E's sub-parcel, together with the non-transferable papers, are placed with B's original parcel. The whole constitutes B's quota and these papers are set aside as finally dealt with (Rule 10 (1)).

B's quota is made up as follows:—

Original parcel	952
Remainder of E's sub-parcel	14
Non-transferable papers	35
Total	1,001

State of poll after fourth transfer.—The poll now stands as follows:—

	Votes.
A	1,001 elected.
G	1,016 elected.
B	1,001 elected.
D	982
C	943
E	569
F	444
Non-transferable papers	44
Total	6,000

Fifth Transfer.

No candidate is elected as the result of the transfer, and the next operation has to be determined upon.

G's surplus is still not distributable, being smaller than the difference between the totals of E and F, the two lowest candidates (Rule 8 (5) (c)).

The votes of the lowest candidate distributed (*Rule* 9 (1)).—F is lowest and his papers have to be distributed.

On examination it is found that of F's 444 papers, 353 show a next preference for C, and the remainder, 91, contain no further preference.

The operation is completed by the transfer of 353 papers to C, whilst the 91 non-transferable papers are set aside as finally dealt with (Rule 10 (1)).

State of poll after fifth transfer.—The poll now stands as follows:—

	Votes.
A	1,001 elected.
G	1,016 elected.
B	1,001 elected.
C	1,296
D	982
E	569
Non-transferable papers	135
Total	6,000

Candidate elected as a result of transfer (*Rule* 7).—C has now 1,296 votes, a number which exceeds the quota, and he is accordingly declared elected.

Filling the last vacancy (*Rule* 11 (2)).—No further transfer is necessary, for, even if all C's surplus (295) and all G's surplus (15) were transferred to E, his total would only amount to 859. But D's total (982) exceeds this number and he is therefore declared elected (Rule 11 (2)).

Final result.—The final result is that A, G, B, C and D are elected.

Result sheet (*Rule* 12).—The details of the various operations in this election are shown in the subjoined form of public notice or "result sheet."

Public Notice of the Result of the Poll and of the Transfer of Votes.

Number of valid votes	6,000
Number of members to be elected	5
Quota (number of votes sufficient to secure the election of a candidate)	1,001

[TABLE OF RESULTS.

Names of Candidates.	Votes.	Transfer of A's Surplus.	Result.	Transfer of K's Votes.	Result.	Transfer of H's and I's Votes.	Result.	Transfer of B's Surplus.	Result.	Transfer of F's Votes.	Final Result showing the Names of Candidates Elected, and the order of their Election.
A	2,009	—1,008	1,001	—	1,001	—	1,001	—	1,001	—	1,001 (Elected) A (1).
B	952	—	952	—	952	+ 119	1,071	- 70	1,001	—	1,001 (Elected) B (3).
C	939	—	939	+ 4	943	—	943	—	943	+ 353	1,296 (Elected) C (4).
D	746	+ 129	875	—	875	+ 107	982	—	982	—	982 (Elected) D (5).
E	493	+ 6	499	—	499	—	499	+ 70	569	—	569
F	341	+ 14	355	+89	444	—	444	—	444	- 444	—
G	157	+ 859	1,016	—	1,016	—	1,016	—	1,016	—	1,016 (Elected) G (2).
H	152	—	152	—	152	- 152	—	—	—	—	—
I	118	—	118	—	118	- 118	—	—	—	—	—
K	93	—	93	—93	—	—	—	—	—	—	—
Non-transferable papers not transferred.	—	—	—	—	—	+ 44	44	—	44	+ 91	135
Total	6,000	—	6,000	—	6,000	—	6,000	—	6,000	—	6,000

SECOND SCHEDULE.

FORM OF FRONT OF BALLOT PAPER.

Counterfoil No.

Note.—The counterfoil is to have a number to correspond with that on the back of the ballot paper.

Mark Order of Preference in Spaces below.	Names of Candidates.
	BROWN (John Brown, of 52, George Street, Bristol, Merchant).
	JONES (William David Jones, of 10, Charles Street, Bristol, Merchant).
	ROBERTSON (Henry Robertson, of 8, John Street, Bristol, Butcher).
	WILLIAMS (James Williams, of 5, William Street, Bristol, Dock Labourer).
	THOMAS (Walter Thomas, of 23, Ann Street, Bristol, Painter).
	MACINNES (Robert MacInnes, of 26, James Street, Bristol, Licensed Victualler).

N.B.—Vote by placing the figure 1 in the square opposite the name of the candidate for whom you vote. You may also place the figure 2, or the figures 2 and 3, or 2, 3, and 4, and so on, in the squares opposite the names of other candidates in the order of your preference for them.

Form of Directions for the guidance of the Voter in voting, which shall be printed in conspicuous characters and placarded outside every Polling Station and in every compartment of a Polling Station.

The voter will go into one of the compartments, and, with the pencil provided there, mark his ballot paper by writing the number 1 opposite the name of the candidate for whom he votes. He may also write the figures 2, 3, and so on, in accordance with the order of his choice or preference opposite the names of other candidates (that is to say):—

He must write 1 in the square space opposite to the name of the candidate for whom he votes.

He may also write 2 in the square space opposite to the name of the candidate he likes second best, and 3 in the square space opposite to the name of the candidate he likes third best.

And so on.

If the voter does not mark the figure 1 on his ballot paper, or marks the figure 1 opposite more than one name, or marks the figure 1 and some other figure opposite the same name, or places any mark on the paper by which he may be identified, his ballot paper will be invalid and will not be counted.

After marking the ballot paper, the voter will fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then in the presence of the presiding officer put the paper into the ballot box and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter takes the ballot paper out of the polling station or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of a misdemeanour, and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

Note.—These directions shall be illustrated by examples of valid ballot papers, such as the following:—

Examples of Ballot Papers validly marked.

A.

Mark Order of Preference in Spaces below.	Names of Candidates.
3	BROWN (John Brown, of 52, George Street, Bristol, Merchant).
4	JONES (William David Jones, of 10, Charles Street, Bristol, Engineer).
2	ROBERTSON (Henry Robertson, of 8, John Street, Bristol, Builder).
5	WILLIAMS (James Williams, of 5, William Street, Bristol, Dock Labourer).
1	THOMAS (Walter Thomas, of 23, Anne Street, Bristol, Painter).
6	MacINNES (Robert MacInnes, of 28, James Street, Bristol, Licensed Victualler).

B.

Mark Order of Preference in Spaces below.	Names of Candidates.
	BROWN (John Brown, of 52, George Street, Bristol, Merchant).
1	JONES (William David Jones, of 10, Charles Street, Bristol, Engineer).
	ROBERTSON (Henry Robertson, of 8, John Street, Bristol, Builder).
	WILLIAMS (James Williams, of 5, William Street, Bristol, Dock Labourer).
	THOMAS (Walter Thomas, of 23, Anne Street, Bristol, Painter).
	MacINNES (Robert MacInnes, of 28, James Street, Bristol, Licensed Victualler).

Mark Order of Preference in Spaces below.	Names of Candidates.
	BROWN (John Brown, of 52, George Street, Bristol, Merchant).
3	JONES (William David Jones, of 10, Charles Street, Bristol, Engineer).
	ROBERTSON (Henry Robertson, of 8, John Street, Bristol, Builder).
1	WILLIAMS (James Williams, of 5, William Street, Bristol, Dock Labourer).
	THOMAS (Walter Thomas, of 23, Anne Street, Bristol, Painter).
2	MacINNES (Robert MacInnes, of 28, James Street, Bristol, Licensed Victualler).

APPENDIX V.

Report of Speaker's Conference.

REPORT OF THE SPEAKER'S CONFERENCE ON ELECTORAL REFORM CONTAINED IN A LETTER FROM THE SPEAKER TO THE PRIME MINISTER, DATED JANUARY 27TH, 1917 (*a*), PRESENTED TO BOTH HOUSES OF PARLIAMENT BY COMMAND OF HIS MAJESTY.

SPEAKER'S HOUSE, S.W.,
January 27, 1917.

DEAR PRIME MINISTER,

I HAVE much pleasure in informing you that the Conference on Electoral Reform has now completed its work, and that I am authorised to report to you the resolutions at which it has arrived.

You will doubtless remember the circumstances in which it originated, but for the sake of greater accuracy I will venture to detail them.

During the debate on the second reading of the Special Register Bill on the 16th August last, Mr. Asquith, who was then Prime Minister, in the course of his speech used these words:—

> "With regard to the Parliament which is going to undertake the work of reconstruction after the war, it is eminently desirable that you should provide an electoral basis which will make that Parliament reflective and representative of the general opinion of the country, and give to its decisions a moral authority which you cannot obtain from what I may call a scratch, improvised, and makeshift electorate. Let us by all means use the time—those of us who are not absolutely absorbed in the conduct of the war—in those months to see if we cannot work out by general agreement some scheme under which, both as regards the electorate and the distribution of electoral power, a Parliament can be created at the end of the war capable and adequate for

(*a*) Parliamentary Paper, Cd. 8463.

discharging these tasks, and commanding the confidence of the country." (Official Report, vol. 85, p. 1906.)

During the same debate Mr. Long, who was then President of the Local Government Board, said:—

"I myself believe that if we agreed amongst ourselves, and the Government offered any assistance which they could, and which, I believe, they would gladly do, to set up—I will not say a Committee, because that is not exactly what I mean—but a representative Conference, not only of parties, but of groups, a Conference which would really represent opinion on these three subjects: electoral reform, revision of your electoral power when you have got it, and registration, I believe—and I do not speak altogether out of books—that such a Conference of earnest men, holding strong views, bitterly opposed to each other, if they were face to face with these difficulties, when we are all longing with a great longing to see something of a better prospect for our country in the future, would produce an agreed system for all three questions upon which the great mass of opinion of the people of this country could come together."

And again later in his speech he used these words:—

"I believe that a Conference such as I have suggested would have a great result. I hope that in the short time during which Parliament is released from its duties we shall all turn our attention to this question. If my honourable friends in any quarter of this House, or outside of this House were to invite me to help to get together such a Conference I would do it with the utmost pleasure. I believe that is the way in which we are more likely to find a solution to these problems than any other plan of which I have yet heard. It was recommended by the honourable gentleman the Member for Stockport in a speech he made, as being put forward either in public or private by many of those who have given time and attention to this question. I venture to say to the House it is our duty, one and all, not to criticise the Government or to find fault with this Bill, but to set ourselves to find a solution which may be a lasting settlement of a very old and difficult problem." (Official Report, vol. 85, pp. 1949—1950.)

The idea seemed to find favour, and soon afterwards I accepted an invitation from the Prime Minister to convene a Conference of members of both Houses of Parliament and to preside over it. The Members of Parliament and Peers whom I selected appeared to me to be eminently representative of the various shades of political opinion in Parliament and in the country upon the special topics connected with Electoral Reform. Their numbers were as nearly as possible proportionate to the strength of pre-war parties in the House of Commons.

On the question of Woman Suffrage I endeavoured to obtain an equal division of opinion, so far as it could be ascertained, but many obvious difficulties presented themselves in discovering the views of gentlemen upon that important topic.

Eventually the following Peers and Members of Parliament accepted my invitation: the Marquess of Salisbury, Earl Grey, Viscount Bryce, Viscount Gladstone, Lord Burnham, Sir Ryland Adkins, Right Honourable Sir Frederick Banbury, Sir John Bethell, Sir William Bull, Colonel James Craig, Colonel Page Croft, Mr. Ellis Davies, Right Honourable W. H. Dickinson, Right Honourable Sir R. Finlay, Mr. Goldstone, Right Honourable George Lambert, Sir J. Larmor, Mr. Macmaster, Mr. J. Mooney, Mr. T. P. O'Connor, Mr. Peto, Mr. Pringle, Right Honourable Sir Harry Samuel, Mr. Scanlan, Mr. MacCallum Scott, Right Honourable Sir John Simon, Mr. Turton, Mr. Stephen Walsh, Mr. Wardle, and Mr. Aneurin Williams.

Before the Conference met, however, Lord Bryce and Mr. Laurence Hardy were obliged through illness to withdraw their acceptances, and Mr. Mooney also found himself unable to take part in the proceedings. Their places were taken by Lord Southwark, Sir Robert Williams, and Mr. Brady.

Mr. W. T. Jerred, C.B., Assistant Secretary to the Local Government Board, acted as Secretary to the Conference.

The Conference met for the first time at the offices of the Local Government Board on the 12th October last, but all subsequent meetings have been held in Committee Room 15 at the House of Commons.

The terms of reference were as follows:—

To examine, and, if possible, submit, agreed resolutions on the following matters:—

(a) Reform of the Franchise.
(b) Basis for Redistribution of Seats.
(c) Reform of the System of the Registration of Electors.
(d) Method of elections and the manner in which the costs of elections should be borne.

After our discussion had proceeded for some time, we were so unfortunate as to lose the assistance of Lord Grey, who was prevented by illness from attending, but as I was in constant expectation that he might be able to resume his attendance I did not invite any other gentleman to take his place.

Sir Robert Finlay also, on his acceptance of office as Lord Chancellor in your Government, was compelled, to the regret of all his colleagues, to leave us.

On the 14th December Lord Salisbury, Sir F. Banbury, and Colonel Craig found themselves unable to continue to assist us, and resigned their positions as members of the Conference. Their places were taken by Mr. C. B. Stuart-Wortley (now Lord Stuart of Wortley), Mr. Touche, and Mr. Archdale, and it is perhaps only fair to mention that some of the conclusions of the Conference were arrived at before they became members of it.

You will remember that when we had reached this point I consulted you as to the desirability of continuing our labours, and you expressed the desire of His Majesty's Government that the work of the Conference should proceed.

Altogether the Conference held twenty-six sittings, the last of which took place on the 26th instant, when I was authorised to

report to you the result of our deliberations. This appears in the following series of resolutions:—

I.—Registration of Electors.

1. The qualifying period for registration as a Parliamentary elector shall be reduced to six months.

2. There shall be a revision of the register every six months.

3. The qualifying period shall be six months prior to the 15th January and 15th July in each year.

4. The time between the preparation and coming into force of the register shall be shortened.

The foregoing resolutions (Nos. 2, 3, and 4) shall not apply to Ireland which, owing to different conditions, may require special treatment.

6. In England and Wales a Registration Officer shall be appointed in every county and borough who shall be, in the case of a county, the Clerk of the County Council, and, in the case of a borough, the Town Clerk.

7. An appeal from the decision of the Registration Officer shall lie to the County Court.

8. In the opinion of the Conference, the cost of registration should be a charge upon the local rates, subject to a contribution of one-half to be made by the State.

II.—Reform of the Franchise.

9.—(a) Every person of full age, not subject to any legal incapacity, who, for the qualifying period, has resided in any premises, or has occupied for the purpose of his business, profession, or trade, any premises of a clear yearly value of not less than 10*l*., shall be entitled to be registered as a Parliamentary Elector.

(b) For the purposes of this resolution no change shall be made in the law relating to the joint occupation of business premises.

(c) A franchise based upon the foregoing qualifications shall be substituted for all existing franchises.

Provided that the representation of the Universities shall be maintained.

10. The qualification to be registered as a Parliamentary Elector shall not be lost by removal to different premises within the same constituency, or from one constituency to another in the same borough or county (including the administrative County of London), or to different premises in a contiguous county or borough.

11.—(a) A person shall not vote at a general election in more than one constituency.

Provided that a person shall be entitled to one additional vote in another constituency in respect of the occupation of his business premises, or in respect of any qualification he may have as a University voter.

(b) For the purpose of this resolution the expression "constituency" means any county, borough, or combination of places.

or university or combination of universities, returning a member or members to serve in Parliament, and where a county or borough is divided for the purpose of Parliamentary elections, means a division of the county or borough so divided.

12. The law relating to the franchise and registration shall be codified.

III.—Redistribution of Seats.

13. This Conference accepts as governing any scheme of redistribution the principle that each vote recorded shall, as far as possible, command an equal share of representation in the House of Commons.

14. It is desirable that there shall be a Redistribution of Seats in accordance with the following general rules:—

(i) The number of members of the House of Commons for Great Britain shall remain substantially as at present.

(ii) In the application of this principle the information at the disposal of the Conference indicates the taking of 70,000 as the standard unit of population for each member.

(iii) A county or borough (other than the City of London) with a population of less than 50,000 shall cease to have separate representation.

(iv) A county or borough with a population of 50,000, but less than 70,000, shall continue to have separate representation.

(v) A municipal borough or urban district with a population not less than 70,000 shall become a separate Parliamentary borough.

(vi) A county or borough at present returning two members shall not lose a member if the defect in the population is 20,000 or less.

(vii) A member shall be given for 70,000 and for every multiple of 70,000, and an additional member for any remainder which is not less than 50,000.

(viii) The boundaries of Parliamentary constituencies shall, as far as practicable, coincide with the boundaries of administrative areas.

(ix) The City of London shall continue as at present to return two members.

15. Existing boroughs entitled to return two members shall not be divided.

16. Where there are contiguous boroughs which, if formed into a single constituency, would be entitled to return not less than three nor more than five members, it shall be an instruction to the Boundary Commissioners to unite such boroughs into a single constituency.

(This resolution would only become applicable in the event of a system of Proportional Representation being adopted, as recommended in a subsequent resolution.)

17. It shall be an instruction to the Boundary Commissioners to take the population as estimated by the Registrar-General for

July, 1914, instead of the population according to the census of 1911.

18. It shall be a recommendation to the Boundary Commissioners, after ascertaining local opinion, to segregate as far as possible adjacent industrial and rural areas in forming constituencies within any county.

19. Where, under the application of these rules, a borough loses its right to separate representation in Parliament, it shall be competent for the Commissioners, after having ascertained local opinion on the subject, to combine such borough with any other such borough or boroughs lying within the county, or with any other borough in the same county having separate representation, instead of merging it in the adjacent county division.

20. Where an ancient Parliamentary borough loses its representation, the county division in which the borough becomes merged shall be named after the merged borough.

21. Where districts of burghs in Scotland comprise burghs in different counties, or where under the foregoing rules a Parliamentary borough which is a district of burghs would lose representation, it shall be an instruction to the Boundary Commissioners to consider the desirability of regrouping the burghs or adding neighbouring burghs in the same county, regard being had to their size, to a proper representation of the urban and rural population, and to the distribution and pursuits of such population:

Provided that the representation of the county is not thereby affected.

As regards Ireland, the Conference desires to place on record that, on the subject of redistribution, it has carried on its deliberations from the point of view of Great Britain only.

IV.—University Representation.

22.—(a) The Universities of Oxford and Cambridge shall continue to return two members each; the electorate shall be widened, and, in order to secure a proper representation of minorities, each voter shall be allowed to vote for one candidate only.

(b) The Universities of Durham, Manchester, Birmingham, Liverpool, Leeds, Sheffield, Bristol, and the University of Wales, shall receive representation; these universities shall be grouped with the University of London so as to form a single constituency returning three members elected on the system of a single transferable vote.

(c) The combined Universities of Edinburgh and St. Andrews and of Glasgow and Aberdeen shall also be grouped so as to form a single constituency returning three members under the system of a single transferable vote.

(d) As regards all Universities the obtaining of a degree shall be the basis for electoral qualification.

V.—Method and Costs of Elections.

23.—(a) A Parliamentary borough which would be entitled on a basis of population to return three or more members shall be a single constituency.

Provided that a constituency entitled to return more than five members shall be divided into two or more constituencies each returning not less than three nor more than five members.

(b) The election in any such constituency shall be held on the principle of proportional representation and each elector shall have one transferable vote.

(c) For the purposes of this rule the Metropolis (excluding the City of London) shall be treated as a single area and divided into constituencies returning not less than three nor more than five members.

24.—(a) At a general election all polls shall be held on one day.

(b) All nominations shall take place on one day.

(c) There shall be an interval of eight days between the day of nomination and the day of poll.

25. Returning Officers' charges should be paid by the State on a scale to be fixed by the Treasury.

26. The duties of Returning Officer in England and Wales shall be discharged by a deputy Returning Officer, who shall be in the case of a county the Clerk to the County Council, and in the case of a borough the Town Clerk.

27.—(a) Every candidate at the election of a Member of Parliament for any county or borough shall be required to deposit with the Returning Officer, at the time of his nomination, the sum of one hundred and fifty pounds.

(b) If a candidate is not elected, and the number of votes polled by him does not exceed in the case of a single or double member constituency one-eighth of the total number of voters polling, or in the case of a constituency returning three or more members, one-eighth divided by the number of members to be elected, the deposit instead of being returned to the candidate shall be forfeited to the Treasury.

(c) For the purposes of this resolution the number of "voters polling" shall mean the number of ballot papers counted other than spoilt ballot papers; and where the election is held under the system of a single transferable vote, the number of "votes polled" by a candidate shall mean the number of votes polled by him as first preferences.

Although the question of candidates' expenses does not appear to be strictly within their terms of reference, the Conference is strongly and unanimously of opinion that the expenditure at present entailed in fighting a contested election is unjustifiable, and should be materially reduced. This, the Conference considers can only be effectively carried out by an alteration in the maximum amounts at present allowed under the Corrupt and Illegal Practices Prevention Act, 1883. The Conference accordingly resolved that—

28.—(a) The following maximum scale of expenses shall be substituted for the maximum scale contained in Part IV. of

the First Schedule to the Corrupt and Illegal Practices Prevention Act, 1883:—

Sevenpence per elector in a county.

Fivepence per elector in a borough other than a borough returning three or more members.

Fourpence per elector in a borough returning three or more members.

(b) Where there are joint candidates the total amount of the expenses of the joint candidates shall not exceed one and a half times the scale allowed for a single candidate.

(c) A duly nominated candidate, or a number of duly nominated joint candidates, shall be allowed one free postage.

In this connection the Conference has had its attention drawn to a growing and, as it considers, mischievous practice by which, at the time of an election, political and other organisations incur expenditure in the furtherance of the views of particular candidates. The practice is, in the view of the Conference, a contravention of the spirit of the Corrupt and Illegal Practices Prevention Act. The Conference realises the difficulty of dealing with the matter, but thinks that some amendment of the Act is very desirable, and resolved that—

29. Any person incurring expenditure by holding public meetings or issuing advertisements or publications for the purpose of furthering the election of a candidate, shall be guilty of a corrupt practice unless such expenditure is authorised by the candidate and returned as part of his election expenses.

30. The Ballot Act shall be made permanent.

VI.—The Local Government Register.

The franchise for Local Government purposes is so closely connected with the Parliamentary franchise that the Conference thought it desirable to deal with the matter, and resolved that—

31.—(a) In substitution for all existing franchises for Local Government purposes every person who for a period of six months immediately preceding the 15th day of January and the 15th day of July in any year has occupied as owner or tenant any land or premises in a Local Government area in England and Wales shall be entitled to be registered and to vote as a Local Government elector in that area.

(b) For the purpose of this resolution neither sex nor marriage shall be a disqualification, provided that a husband and wife shall not both be qualified in respect of the same premises.

(c) The Conference makes no recommendation with regard to the Local Government franchise in Scotland or Ireland.

VII.—Soldiers and Sailors.

32.—(a) It shall be the duty of the Registration Officer to ascertain, as far as possible, the names and addresses of all persons of full age who ordinarily reside in his area, but who are serving in His Majesty's forces, and such persons shall be qualified to be registered and to vote as parliamentary electors within that area.

(b) In the case of a person who has served in His Majesty's forces during any part of the qualifying period, residence in a constituency for one month immediately preceding the 15th January or the 15th July, as the case may be, shall be a sufficient qualification.

All the resolutions under the foregoing sub-heads I. to VII. were agreed to unanimously.

VIII.—Woman Suffrage.

The Conference decided by a majority that some measure of woman suffrage should be conferred. A majority of the Conference was also of opinion that if Parliament should decide to accept the principle, the most practical form would be to confer the vote in the terms of the following resolution:—

33. Any woman on the Local Government Register who has attained a specified age, and the wife of any man who is on that Register if she has attained that age, shall be entitled to be registered and to vote as a parliamentary elector.

Various ages were discussed, of which 30 and 35 received most favour.

The Conference further resolved that if Parliament decides to enfranchise women, a woman of the specified age, who is a graduate of any University having Parliamentary representation shall be entitled to vote as a University Elector.

IX.—Miscellaneous.

The Conference resolved unanimously that:—

34. The maintenance in any asylum for lunatics or idiots of any person for whose maintenance any other person is responsible shall not disqualify such other person for being registered as a Parliamentary elector.

The following resolutions were passed by a majority:—

35. This Conference, having considered the recommendation of the Royal Commission on the Poor Laws and Relief of Distress, is of opinion that no person who has received poor relief other than medical relief for less than thirty days in the aggregate during the qualifying period, shall be disqualified for being registered as a parliamentary elector.

36. At any election in a single member constituency where there are more than two candidates, the election shall be held on the system of voting known as the alternative vote.

37.—(a) Provision shall be made to enable any person who is on the Parliamentary Register in any constituency to have his name entered in a List of Absent Voters, and to record his vote as such, provided that he satisfies the Registration Officer that the nature of his employment will render it probable that he will be compelled to be absent from the constituency on the day when the poll will be taken.

(b) The Absent Voters' List shall be prepared at the same time as the ordinary Register, and should remain in force during the currency of that Register.

(c) A printed ballot paper shall be sent to every voter at the address registered by him for the purpose in such form and manner as will secure the secrecy of the ballot.

(d) The ballot paper shall be returnable by post on or before the polling day, accompanied by a statutory declaration of identity in a prescribed form.

(e) A person whose name is on the Absent Voters' List shall not be entitled to vote otherwise than as an absent voter.

In conclusion, I should like to bear witness to the admirable temper and conciliatory disposition which all the members of the Conference showed in grappling with the difficulties confronting them. They were convinced, I feel sure, of the great desirability of amicably settling these thorny questions, and of finding a solution for issues fraught with the possibility of engendering grave domestic strife and internal friction. They were desirous of rendering, at a time when the national energies were almost wholly centred upon the successful prosecution of the war, a service which might prove of the highest value to the State, and result in equipping the nation with a truly representative House of Commons, capable of dealing, and dealing effectively, with the many and gigantic problems which it will have to face and solve as soon as the restoration of peace permits of their calm and dispassionate consideration.

As a last word, I should like to say, on behalf of all the members of the Conference, how deeply they are indebted to Mr. Jerred for his unfailing courtesy, his untiring energy, and his accurate acquaintance with the technicalities of electoral matters, all of which gifts he placed unreservedly at the disposal of the Conference.

Yours very truly,

JAMES W. LOWTHER.

To the Right Hon. the Prime Minister.

APPENDIX VI.

(Supplementary to Appendix I.)

Additional Orders in Council.

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No. 1.

ORDER IN COUNCIL PRESCRIBING FEES IN CONNECTION WITH REGISTRATION PURPOSES, REGISTRATION DATES, etc. (*a*).

R. P. 32.

At the Court at Buckingham Palace, the 4th day of June, 1918.

Present,

The King's Most Excellent Majesty in Council.

Whereas under the Representation of the People Act, 1918 (hereinafter referred to as "the Act"), various matters are to be prescribed by His Majesty by Order in Council:

And whereas in particular provision is made by the Act as follows:—

> "His Majesty may by Order in Council prescribe the forms to be used for registration purposes and any fees to be taken in connection therewith, and alter the rules contained in the First Schedule to this Act for the purpose of carrying this Act into full effect" . . . (s. 13 (2)) (*b*):

(*a*) See sect. 13 (2), pp. 133, 134, *supra*, and First Schedule, Rule 31, pp. 350, 351, *supra*.

(*b*) See pp. 133, 134, *supra*.

"Any document required to be published shall be kept published for the prescribed time" (First Schedule, Rule 31) (*c*):

And whereas by Orders in Council dated respectively the 4th day of March, 1918 (*d*), and the 22nd day of March, 1918 (*e*), made under the powers conferred by the said Act, His Majesty in Council has been pleased to fix certain registration dates and dates governing the qualifying period, and also certain forms for registration purposes, and it is expedient that the said dates and forms should in some respects be altered:

And whereas it is expedient, in order to avoid any question which may arise, to comply as respects England and Wales and as respects Ireland with the provisions of the Rules Publication Act, 1893, as to the matters dealt with under this Order, and it is necessary on account of urgency that any Order providing for the matters dealt with by this Order should come into operation forthwith:

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. The documents mentioned in the First Schedule to this Order shall, as respects the First Register, be kept published in Great Britain until the dates specified in the second column of that Schedule, and in Ireland until the dates specified in the third column of that Schedule.

2. The fees specified in the Second Schedule to this Order may be taken in connection with registration purposes, and shall for the purposes of the Act be deemed to be the prescribed fees.

3. The names in the absent voters list (*f*) shall be arranged in the same order (*g*) as that in which those names appear in the register, and the list shall be in the form set out in the Third Schedule to this Order.

This rule shall not apply to Scotland.

4. There shall be added as a supplement to that part of the register which relates to any polling district a list, giving with respect to persons who, though not resident in that polling district, are entitled to vote at a polling place for that district under Rule 24 (*h*) of the First Schedule to the Act, the same particulars as are contained with respect to those persons in the register, adding in the third column a reference to the polling district where any such person is registered, provided that the names shall be numbered consecutively after other names in the list for such first-mentioned polling district.

5. Claims under the said Rule 24 (*h*) must be made for the purposes of the first register before the 31st day of July in

(*c*) See pp. 350, 351, *supra*.
(*d*) See pp. 613, 614, *supra*.
(*e*) See pp. 626–627, *supra*.
(*f*) See Rule 3, p. 340, *supra*, and pp. 345, 346, *supra*.
(*g*) See Rule 4, p. 340, *supra*.
(*h*) See p. 348, *supra*.

Great Britain, and before the 26th day of July in Ireland, and shall be in the form set out in the Fourth Schedule to this Order or a form to the like effect.

6. In connection with the first register to be prepared under the Act, the registration dates and dates governing the qualifying period referred to in the Fifth Schedule to this Order shall instead of the dates specified in the said Orders of the 4th day of March, 1918 (*i*), and the 22nd day of March, 1918 (*k*), be the dates specified in the Third Column to the Fifth Schedule to this Order.

This rule shall not apply to Ireland.

7. Where—

(a) the statement of any naval or military voter made in the prescribed form (*l*) that he would have had the necessary qualification in any constituency but for his service; or

(b) (subject to verification by the registration officer) any statement containing similar particulars supplied by or on behalf of the Admiralty, Army Council, or Air Council (*m*),

is received by the registration officer too late for inclusion in the electors lists that statement may for all the purposes of the Act and rules made thereunder be treated as a claim to be registered.

8. Where the registration officer receives from a merchant seaman, pilot or fisherman any such statement as aforesaid which includes a statement of actual residence (*n*) and is therefore to be regarded as a claim and declaration under section 5 (1) of the Act, he shall nevertheless place the person from whom the statement is received on the absent voters list unless he gives notice that he does not so desire.

9. Where a statement (*o*) for the purposes of the first register is received by the registration officer not later than the 17th of August in respect of a person already on the electors lists, otherwise than as a naval or military voter, indicating to his satisfaction that that person is serving on full pay as a member of any of the naval, military or air forces of the Crown, the registration officer shall place that person on the absent voters list unless before that date he gives notice that he does not so desire.

10. The form specified in the Sixth Schedule to this Order shall be substituted for Form VI. in Part I. of the Schedule to the said Order of the 22nd day of March (*p*) (which prescribes forms for Scotland) but any claim made in the form as prescribed by

(*i*) See pp. 613, 614, *supra*.
(*k*) See pp. 626—627, *supra*.
(*l*) See pp. 571—574, *supra*.
(*m*) See Rule 18, p. 346, *supra*.
(*n*) See p. 573, *supra*.
(*o*) See pp. 571—574, *supra*.
(*p*) See pp. 626—627, *supra*.

the said Order shall nevertheless be valid for the purposes of the first register.

11. As respects any registration unit in Ireland in which there is no post office or other convenient place at which copies of documents relating to the unit can be made available for inspection as required by Rules 27 (*q*) and 31 (*r*) of the First Schedule to the Act, it shall be sufficient compliance with that requirement if copies of the documents are made available for inspection by the public at the office of the council of the county district comprising the registration unit, or at some other convenient place in that district to which the public have access instead of in the registration unit itself, and accordingly those rules shall be amended so as to give effect to this provision.

12. This Order shall take effect from the date hereof, and, except as respects Scotland, shall take effect provisionally in accordance with the provisions of section 2 of the Rules Publication Act, 1893.

ALMERIC FITZROY.

FIRST SCHEDULE.

PUBLICATION OF DOCUMENTS.

Nature of Document.	Dates.	
	As regards Great Britain.	As regards Ireland.
Electors Lists (First Schedule, Rule 6).	July 18th.	July 5th.
Notice as to mode of making claims and objections (First Schedule, Rule 6).	August 1st.	July 26th.
Corrupt and Illegal Practices Lists (First Schedule, Rule 8).	July 18th.	July 5th.
List of Claimants (First Schedule, Rule 11).	August 1st.	July 26th.
List of persons to whose registration notice of objection has been given (First Schedule, Rule 14).	August 1st.	July 26th.
List of claimants to whose registration notice of objection has been given.	14th day after publication.	14th day after publication.
Register (First Schedule, Rule 27).	The date of the coming into force of the next register.	The date of the coming into force of the next register.

(*q*) See p. 349, *supra*. (*r*) See pp. 350, 351, *supra*.

SECOND SCHEDULE.

FEES FOR COPIES OF LISTS, REGISTERS, ETC.

	s.	d.
1.* For a copy of the electors lists or of so much of the lists as relates to any registration unit or units:—		
not exceeding 100 names	0	4
for each additional 100 (or part of 100)	0	2
2.† For a copy of any claim or notice of objection	0	4
3.‡ For a copy of the register or of so much of the register as relates to any registration unit or units:—		
not exceeding 100 names	0	4
for each additional 100 (or part of 100)	0	2

* Schedule 1, R. 33. † Schedule 1, R. 33.
‡ Schedule 1, R. 28.

THIRD SCHEDULE.

ABSENT VOTERS LIST FOR THE CONSTITUENCY OF

Polling District

Number as shewn in the Register.	Names in Full. (Surname first.)	Qualifying Premises as shewn in Column 3 of Register.	In the case of Naval or Military Voters description of Service, Ship, Regiment, Number, Rank, Rating, &c. In the case of other Voters, recorded address.
1.	2.	3.	4.

FOURTH SCHEDULE.

FORM OF CLAIM TO VOTE IN POLLING DISTRICT WHERE VOTER DOES NOT RESIDE.

To the Registration Officer for .

Address .

I, being entered in the electors lists as a Parliamentary elector for the above constituency as follows:—*

and being resident at† , which is not in the polling district in which I am entitled to be registered, hereby claim to vote at the polling place situate at‡
for the polling district§ .

Signed .

Date .

* Here insert extract from printed electors lists giving registration unit and polling district.

† Here insert full postal address of residence.

‡ Here insert name of place where elector claims to vote.

§ Here insert distinctive letter and name (if any) of polling district.

FIFTH SCHEDULE.

REGISTRATION DATES, ETC.

Subject-matter.	Date specified in Act.	Substituted date.
End of qualifying period .	15th Jan.—July .	15th April
Publication of lists . . .	1st Feb.—Aug. .	29th June
Last day for objections to electors lists.	15th Feb.—Aug. .	10th July
Last day for claims . . .	18th Feb.—Aug. .	17th July
Last day for claims as absent voters.	18th Feb.—Aug. .	31st July
Date referred to in Rule 17 .	18th Feb.—Aug. .	17th August
Publication of list of objections to electors lists.	21st Feb.—Aug. .	19th July
Publication of list of claimants.	24th Feb.—Aug. .	25th July
Last day for objections to claimants.	7th Mar.—4th Sep. .	31st July
Publication of list of objections to claimants (as soon as practicable after).	7th Mar.—4th Sep. .	31st July
Publication and coming into force of register.	15th April—Oct. .	1st October

SIXTH SCHEDULE.

SUBSTITUTED FORM.

[*Here follows form applicable to Scotland.*]

No. 2.

ORDER IN COUNCIL DATED JUNE 25TH, 1918, AS TO VOTING BY PROXY BY NAVAL AND MILITARY VOTERS ABROAD (*b*).

WHEREAS under Section twenty-three (*b*) of the Representation of the People Act, 1918, power is conferred on His Majesty by Order in Council to direct that voting by proxy by naval or military voters shall be permitted in any area on land abroad mentioned in the Order if it appears to Him that ballot papers sent to that area by post cannot reasonably be returned before the votes are counted, and that the case cannot be met by an Order under the said section twenty-three postponing the counting of votes:

And whereas it is expedient, in order to avoid any question which may arise, to comply as respects England and Wales and as respects Ireland with the provisions of the Rules Publication Act, 1893, as to the matters dealt with under this Order, and it is necessary on account of urgency that any Order providing for the matters dealt with by this Order should come into operation forthwith:

Now, therefore, His Majesty, being satisfied as aforesaid, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. Voting by proxy by naval and military voters shall be permitted in all areas on land outside the British Islands, except areas in France or Belgium.

2. This Order shall take effect from the date hereof, and, except as respects Scotland, shall take effect provisionally in accordance with the provisions of Section 2 of the Rules Publication Act, 1893.

ALMERIC FITZROY.

(*b*) See s. 23 (4) (a), p. 174, and p. 201, *supra*.

No. 3.

ORDER IN COUNCIL DATED JUNE 25TH, 1918, PRESCRIBING FORMS RELATING TO PROXY PAPERS, BEING THE PROXY PAPER ORDER, 1918 (*c*).

WHEREAS under Section twenty-three (*c*) of the Representation of the People Act, 1918, power is conferred on His Majesty in Council to prescribe the forms to be used for the purposes of the said section, and to make regulations as to the mode in which proxy papers may be issued and cancelled, and generally for the purpose of carrying the said section into effect:

And whereas it is expedient, in order to avoid any question which may arise, to comply as respects England and Wales and as respects Ireland with the provisions of the Rules Publication Act, 1893, as to the matters dealt with under this Order, and it is necessary on account of urgency that any Order providing for the matters dealt with by this Order should come into operation forthwith:

Now, therefore, His Majesty, being satisfied as aforesaid, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

A.—ISSUE OF PROXY PAPERS.

1. An Application by an elector for the issue of a proxy paper must be in the following form or in a form to the like effect:—

REPRESENTATION OF THE PEOPLE ACT, 1918.

Application for appointment of a Proxy.

To the Registration Officer for [*Here insert name of county or borough in which the qualifying premises are situated*].

I, being entitled to vote by proxy and being or believing myself to be qualified for registration as a Parliamentary elector in respect of [*Here insert address of qualifying premises, including if possible the county or borough or parish as the case may be*] hereby apply for the issue of a proxy paper appointing [*Here insert name of person to act as proxy*] who resides at [*Here insert his or her full address*] and is [*Here insert relationship, if any, to the elector*] or failing him or her [*Here may be inserted one or two other names (with addresses and relationship to the elector, if any) in order of preference, if the elector desires alternatives in case the first named is unwilling or unable to*

(*c*) See s. 23 (6), p. 176, *supra*, and Third Schedule, pp. 359—362, *supra*.

act or is not qualified for acting] as my proxy to vote on my behalf at Parliamentary elections for the constituency of .

Signed ,

[*Here insert merchant seaman, pilot or fisherman, or Red Cross or other recognised war service, or if the elector is in the Navy, Army or Air Force, particulars as to number, ship, regiment, rank, rating, &c.*]

Witnessed by [*The witness should be some person to whom the elector is known and in the case of a sailor, soldier or airman should, if possible, be an officer*],

Rank, occupation, &c. .

Date .

2. An Application by a person authorised by an elector for the issue of a proxy paper shall be made by sending or delivering to the Registration Officer an authorisation by the elector in the following form or in a form to the like effect:—

REPRESENTATION OF THE PEOPLE ACT, 1918.

Authority to apply for appointment of a Proxy.

To the Registration Officer for [*Here insert name of county or borough in which the qualifying premises are situated*].

I, being entitled to vote by proxy and being or believing myself to be qualified for registration as a Parliamentary elector in respect of [*Here insert address of qualifying premises, including if possible the county or borough or parish as the case may be*] hereby authorise [*Here insert name of person authorised to apply for proxy paper*] who resides at to apply for the issue of a proxy paper appointing [*Here insert name of person to act as proxy, and his or her full address*] who resides at and who is [*Here insert relationship, if any, to the elector*] or failing him or her [*Here may be inserted one or two other names (with addresses and relationship to the elector if any) in order of preference, if the elector desires alternatives in case the first named is unwilling or unable to act, or is not qualified for acting*] as my proxy to vote on my behalf at Parliamentary elections for the constituency of .

Signed ,

[*Here insert merchant seaman, pilot or fisherman, or Red Cross or other recognised war service, or if the elector is in the Navy, Army or Air Force, particulars as to number, ship, regiment, rank, rating, &c.*]

Witnessed by [*The witness should be some person to whom the elector is known, and in the case of a sailor, soldier, or airman should, if possible, be an officer*],

Rank, occupation, &c. .

Date .

NOTE.—This authority will not be recognised unless it is duly signed and witnessed and dated, and the name and address of the authorised person and the names of the person or persons, one of whom is to be appointed as proxy, are filled in by the elector. Any other particulars may, if desired, be left to be filled in by

the authorised person. The authorised person must send or deliver this form to the Registration Officer.

The authorised person may, of course, be entered as the person or one of the persons to be appointed as proxy, if qualified. If so, it will be convenient if before sending this form to the Registration Officer he will sign the statement below showing that he is willing to act as proxy.

I am willing to act as Proxy.

Date . Signature of authorised person .

3. The Registration Officer on receiving an application for the appointment of a proxy shall if satisfied that a proxy may be appointed intimate to the person named as proxy (or if more than one is named to the first named) unless he knows that that person is not qualified to be appointed as proxy, or has expressed his unwillingness to act, that it is proposed to appoint him as proxy for the elector, and that if no notice is received within seven days intimating that he is unwilling or unable to act as proxy for the elector, a proxy paper will be issued to him and he will be entered on the list of proxies.

If at the expiration of the said seven days no notice is received intimating that the person named (or first named) as proxy is unable or unwilling so to act, the Registration Officer shall send or deliver a proxy paper to that person, unless otherwise directed, and shall enter his name on the list of proxies.

4. If within seven days from the date of sending the intimation notice is received by the Registration Officer informing him that the person named as proxy is unable or unwilling so to act the Registration Officer shall, if a second or third name is given in the form of application, deal in like manner with the person or persons so named.

If the person named or, if more than one person is named, all of the persons named, are unable or unwilling so to act, or are not qualified to act, or if for any other reason the Registration Officer does not comply with the application and issue a proxy paper, the Registration Officer shall send a notice to the elector informing him that no proxy paper has been issued and explaining the reason.

5. The proxy paper to be issued by the Registration Officer shall be in the following form or a form to the like effect:—

REPRESENTATION OF THE PEOPLE ACT, 1918.

PROXY PAPER.

Constituency .

Polling District .

(Name)

(Address)

is hereby appointed as Proxy for

(Name of elector)

who is registered as a Parliamentary Elector in respect of

(Address of qualifying premises)

to vote for such elector at all Parliamentary Elections for the above constituency whilst this Proxy Paper remains in force.

Signature of Registration Officer .

Date .

NOTE.—The person appointed as Proxy should carefully preserve this paper which must be produced at each election to the Presiding Officer at the polling booth, who will then issue a ballot paper to be marked in the usual way.

B.—CANCELLATION OF PROXY PAPERS.

6. A notice to the Registration Officer cancelling a proxy paper must be in the following form or in a form to the like effect:—

REPRESENTATION OF THE PEOPLE ACT, 1918.

To the Registration Officer for .

I, being registered as a Parliamentary elector in respect of the following premises [*Here insert address of qualifying premises, including, if possible, the county or borough or parish as the case may be*] hereby cancel any proxy paper issued in respect of the above qualification.

Signed .

Witnessed by [*The witness should be some person to whom the elector is known, and in the case of a sailor, soldier or airman should, if possible, be an officer*].

Date .

7. Where a proxy paper is cancelled the Registration Officer shall send notice of the cancellation to the person who has been appointed proxy under the cancelled paper, and shall delete his name from the list of proxies.

C.—GENERAL.

8. This Order shall take effect from the date hereof, and, except as respects Scotland, shall take effect provisionally in accordance with the provisions of Section 2 of the Rules Publication Act, 1893.

9. This Order may be cited as the Proxy Paper Order, 1918.

ALMERIC FITZROY.

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